East Lampeter Township

Lancaster County, Pennsylvania

Zoning Ordinance of 2016, As Amended

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East Lampeter Township Zoning Ordinance of 2016, As Amended

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Article 1: Background Provisions

Section 1010: Preamble and Short title

A. An Ordinance establishing regulations, specifications and restrictions for the uses of land, watercourses and other bodies of water; the size, height, bulk, location, erection, construction, repair, maintenance, alteration, razing, removal and use of structures; the areas and dimensions of land and bodies of water to be occupied by uses and structures including areas, courts, yards and other open spaces and distances to be left unoccupied by uses and structures; and the density of population and intensity of land uses, within East Lampeter Township, Lancaster County, Pennsylvania, and for said purposes dividing East Lampeter Township into districts and prescribing certain uniform regulations for such districts and providing for the administrative enforcement and amendment provisions in accordance with the Pennsylvania Municipalities Planning Code (MPC).

B. This Zoning Ordinance shall be known and may be cited as the "East Lampeter Zoning Ordinance of 2016, as amended" or as the "East Lampeter Township Zoning Ordinance."

Section 1020: Purpose and Community Development Objectives

A. The East Lampeter Township Zoning Ordinance is hereby enacted for the following purposes:

1. To promote, protect, and facilitate any or all of the following: the public health, safety, morals, and the general welfare; coordinated and practical community development and proper density of population; emergency management preparedness and operations, airports, and national defense facilities; the provision of adequate light and air; access to incident solar energy, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, recreational facilities, and public grounds; the provision of a safe, reliable, and adequate water supply for domestic, commercial, agricultural, and industrial use; as well as the preservation of the natural, scenic, and historic values in the environment and the preservation of forests, wetlands, aquifers, and floodplains.

2. To prevent any or all of the following: overcrowding of land; blight and danger; congestion associated with travel and transportation; and the loss of health, life, and property.

3. To preserve prime agriculture and farmland considering topography, soil conditions and present use.

4. To sustain and improve the quality of life within the community.

5. To provide for the use of land within East Lampeter Township for residential housing of various dwelling types encompassing basic forms of housing in various densities and arrangements.

6. To accommodate reasonable overall community growth, including population and employment growth, and opportunities for development of a variety of residential dwelling types and non-residential uses.

7. To encourage and provide opportunities for commercial and industrial growth and development by considering environmental limitations, existing land uses, infrastructure, and the rural characteristics.

8. To implement the recommendations in an effort to be generally consistent with the Comprehensive Plan.

B. This Zoning Ordinance was prepared with careful consideration being given to, among other things, the character of various areas within East Lampeter Township, and their suitability for particular uses, and with a view toward conserving the value of property and encouraging the most appropriate use of land within East Lampeter Township.

C. The basis for this Zoning Ordinance is the Comprehensive Plan, as adopted by the East Lampeter Township Board of Supervisors. The Comprehensive Plan establishes detailed community development goals and objectives, which this Ordinance seeks to promote and to establish; however, it is recognized that circumstances may necessitate the adoption and timely pursuit of new goals and the enactment of new ordinances or amendments to this Zoning Ordinance that may neither require nor allow for the completion of a new Comprehensive Plan and approval of new community development objectives.

Section 1030: Scope

A. Except as noted below, from and after the effective date of this Zoning Ordinance, the use of all land and every building or structure or portion of a building or structure erected, altered with respect to height and area, added to, or relocated, and every use within a building or structure or use accessory thereto, in East Lampeter Township shall be in conformity with the provisions of this Zoning Ordinance. Any building, use or land area not in conformity with the regulations herein prescribed shall be regarded as nonconforming but may be continued, extended, or changed subject to the special regulations herein provided with respect to nonconforming buildings, structures, lots or uses.

B. This Zoning Ordinance shall not apply to any existing or proposed buildings, or extension thereof, used or to be used by a public utility corporation if, upon petition of the corporation, the Pennsylvania Public Utility Commission shall, after a public hearing, decide that the present or proposed building in question is reasonably necessary for the convenience or welfare of the public. This exemption shall not apply to telecommunications antennas, communications equipment buildings, and communication towers for wireless telecommunication services regulated under the Telecommunications Act, as may be amended.

Section 1040: Interpretation

A. In interpreting and applying this Zoning Ordinance, its provisions shall be held to be the minimum requirements for promotion of health, safety, morals, and general welfare of East Lampeter Township. Any use permitted subject to the regulations prescribed by the provisions of this Zoning Ordinance shall comply with all regulations for the Zoning District in which it is located and all other pertinent regulations contained within this Zoning Ordinance. This Zoning Ordinance is not intended to interfere with, abrogate, annul, supersede, or cancel any easements, covenants, restrictions, or reservations contained in deeds or other agreements, but if this Zoning Ordinance imposes more stringent restrictions upon the use of buildings and land than are contained in the deeds or agreements, the provisions of this Zoning Ordinance shall control.

B. In interpreting the language of this Zoning Ordinance to determine the extent of the restriction upon the use of land, the language shall be interpreted, where doubt exists as to the intended meaning of the language written and enacted by the Board of Supervisors, in favor of the landowner and against any implied extension of the restriction.

C. The state and federal requirements for code enforcement, construction, emergency management and property maintenance, as adopted by East Lampeter Township, shall supersede the provisions of this Zoning Ordinance.

D. Unless otherwise specified or designated by this Zoning Ordinance, all approvals shall be subject to the authority of the Board of Supervisors after consulting with the Zoning Officer and other municipal officials.

Section 1050: Conflict, Validity and Severability

A. It is not intended by this Zoning Ordinance to repeal, abrogate, annul, or interfere with any existing ordinances or enactment, or with any rule, regulations, or permit adopted or issued thereunder, except insofar as the same may be inconsistent or in conflict with any of the provisions of this Zoning Ordinance, provided that where this Zoning Ordinance imposes greater restrictions upon the use of buildings or land, or upon the height and bulk of buildings, or prescribes larger open spaces than are required by the provisions of such other ordinance, enactment, rule, regulation, or permit, then the provisions of this Zoning Ordinance shall control. Further, if a discrepancy exists between any regulations contained within this Zoning Ordinance, that regulation which imposes the greater restriction shall apply.

B. If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, or word in this Zoning Ordinance is declared for any reason to be illegal, unconstitutional, or invalid by any court of competent jurisdiction, such decision shall not affect or impair the validity of the Zoning Ordinance as a whole, or any other article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word, or remaining portion of the Zoning Ordinance. The Board of Supervisors hereby declares that it would have adopted the Zoning Ordinance and each article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, and word thereof, irrespective of the fact that any one (1) or more of the articles, sections, subsections, provisions, limitations, restrictions, sentences, clauses, phrases, or words may be declared illegal, unconstitutional or invalid.

Section 1060: Regional Allocation of Land Uses

A. Through the development of the Comprehensive Plan, East Lampeter Township in conjunction with Upper Leacock Township developed a future land use plan in order to provide for a regional allocation of land uses considering land use features, community facilities, utility provisions and the transportation network. This Zoning Ordinance has been prepared in order to implement the regional planning efforts endorsed by the Comprehensive Plan.

B. Uses not permitted or recognized by the East Lampeter Township Zoning Ordinance may be permitted and included as part of the Upper Leacock Township Zoning Ordinance. Should a use not be permitted or recognized within any of these zoning ordinances, an application should be made to the Zoning Officer to consider in accordance with the provisions of this Zoning Ordinance.

C. Section 23850 of this Zoning Ordinance shall apply to "uses not specifically permitted" by the East Lampeter Township Zoning Ordinance and the Upper Leacock Township Zoning Ordinance

Section 1070: Establishment of Zoning Districts and Overlay Districts

A. For the purpose of this Zoning Ordinance, East Lampeter Township is hereby divided into fifteen (15) base zoning districts, which shall be designated as follows:

AG: Agricultural Zoning District

R-1: Low Density Residential Zoning District

R-2: Medium Density Residential Zoning District

R-3: High Density Residential Zoning District

C-1: Neighborhood Commercial Zoning District

C-2: General Commercial Zoning District

C-3: Regional Commercial Zoning District

I-1: Light Industrial Zoning District

I-2: General Industrial Zoning District

BP: Business Park Zoning District

MU: Mixed Use Zoning District

BH: Bird-In-Hand Zoning District

VG: Village General Zoning District

VC: Village Commercial Zoning District

VR: Village Residential Zoning District

B. For the purpose of this Zoning Ordinance, East Lampeter Township has established certain Overlay Districts, which shall be designated as follows:

Airport Overlay District

Floodplain Overlay District

Historic Overlay District

Section 1080: Zoning Map

A. The boundaries of the zoning districts shall be depicted on the East Lampeter Township Zoning Map, which has been incorporated by reference into this Zoning Ordinance. The East Lampeter Township Zoning Map shall identify the signatures of the East Lampeter Township Board of Supervisors, attested by the East Lampeter Township Manager or Secretary, and bear the seal of East Lampeter Township under the following words:

> "This is to certify that this is the Zoning Map of East Lampeter Township, Lancaster County, Pennsylvania, as initially adopted by the East Lampeter Township Board of Supervisors on May 16, 2016 and as amended on _____, as part of the East Lampeter Township Zoning Ordinance of 2016, as amended".

B. An executed original copy of the Zoning Map shall be maintained by East Lampeter Township. A reduced version of the Zoning Map has been included as part of Appendix A of this Zoning Ordinance.

C. If changes are made to district boundaries or other matters portrayed on the Zoning Map, such changes shall be made in accordance with the provisions of East Lampeter Township and the Pennsylvania Municipalities Planning Code, and the changes shall be entered on the Zoning Map promptly after the amendment has been approved by the Board of Supervisors. No changes of any nature shall be made to the Zoning Map, or matter thereon shown, except in conformity with the applicable procedures established in this Zoning Ordinance. All changes shall be noted by date with a brief description of the nature of the change.

D. The Zoning Map shall be located in a place designated by the Board of Supervisors, and shall be the final authority as to the current zoning status of land and water area in East Lampeter Township regardless of unofficial copies, which may have been made or published from time to time.

E. In the event that the Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the Board of Supervisors may, by resolution, adopt a new Zoning Map. The new Zoning Map may correct drafting or other errors or omissions in the prior Zoning Map, but no such correction shall have the effect of amending the original Zoning Map or any subsequent amendment thereof. The new Zoning Map shall be identified by the signature of the Board of Supervisors, attested by the East Lampeter Township Manager or Secretary, and bear the seal of East Lampeter Township under the following words:

> "This is to certify that this Zoning Map of East Lampeter Township supersedes and replaces the Zoning Map adopted as part of Ordinance No._____ of East Lampeter Township, Lancaster County, Pennsylvania".

F. Unless the prior Zoning Map has been lost or has been destroyed, the prior map or any significant parts thereof remaining shall be preserved together with all applicable records pertaining to its adoption or amendment.

Section 1090: Application and Interpretation of Zoning District Boundaries

A. Where uncertainty exists as to the boundaries of the base districts as indicated on the Zoning Map, the following rules and guidelines, as provided within this Section of the Zoning Ordinance shall be applicable.

1. Where district boundaries are indicated as approximately coinciding with the centerlines of streets, highways, lanes, alleys, railroad tracks, rivers or creeks, such centerline shall be construed to be such boundaries.

2. Where district boundaries are indicated as approximately coinciding with lot lines or deed lines, which were in effect at the date of this Zoning Ordinance, such lines shall be construed to be such boundaries.

3. Where district boundaries are indicated as approximately coinciding by municipal boundary lines, such lines shall be construed to be such boundaries.

4. Where district boundaries are indicated as being approximately parallel to the center or right-of-way lines of streets or highways, lanes, alleys, railroad tracks, rivers or creeks, such district boundaries shall be construed as being parallel to the center or right-of-way lines at such distance as is indicated on the Zoning Map.

5. Where district boundaries are indicated as being approximately perpendicular to the right-of-way lines of a street, such district boundaries shall be construed as being perpendicular to the right-of-way lines.

6. Where district boundaries are referenced by a distance or measurement from a specific feature, such distance shall be measured in feet and the district boundaries shall follow the specified setback. Where distances or measurements are not specifically referenced on the Zoning Map, the scale of the Zoning Map shall determine the unspecified setback.

7. Where a district boundary line divides a lot which was in single ownership at the effective date of this Ordinance, at the election of the property owner, the regulations of either zoning district may be extended a distance of not more than fifty (50) feet beyond the district boundary line onto the remaining portion of the lot.

8. Where physical or cultural features existing on the ground are inconsistent with those indicated on the Zoning Map, or when circumstances not covered within the context of this Section of the Zoning Ordinance apply, the Zoning Hearing Board shall interpret the district boundaries.

B. The following standards indicated within this Section of the Zoning Ordinance shall be utilized for the generalized application of the base district regulations in association with this Zoning Ordinance.

1. Unless otherwise provided by law or the provisions of this Zoning Ordinance, no building, structure or land area shall be used or occupied except for a permitted use in the zoning district within which the building, structure or land area is located.

2. Any legally established use of a building structure, lot, land area, or part thereof, which constitutes a conforming use under the provisions of this Zoning Ordinance, may be continued.

3. Any legally established use which occupies a building structure, lot or land area prior to the effective date of this Zoning Ordinance or amendment thereto, but does not comply with the use regulations of the district in which it is situated after the effective date of this Zoning Ordinance or any amendment thereto, may be continued as a nonconforming use in accordance with the provisions of this Zoning Ordinance.

4. The regulations established within this Zoning Ordinance shall apply uniformly to building, structures or uses, unless otherwise specified by other codes or ordinances, as adopted by East Lampeter Township.

5. Permitted uses shall adhere to the dimensional requirements for lot area, lot width, yard, height and coverage as specified for the zoning district to which the use is located, unless specified by this Zoning Ordinance.

6. No building, structure or area of land shall be occupied without the issuance of a Certificate of Use and Occupancy by the Zoning Officer or other code official designated by East Lampeter Township.

7. No part of a yard, common open space, other open space, off-street parking area, or loading space required in connection with any structure, building or use of the land shall be included as part of a yard, common open space, open space, off-street parking area, or loading space similarly required for any other structure, building or use of the land, except as permitted or required by this Zoning Ordinance.

8. No yard or lot existing at the time of passage of this Zoning Ordinance, which meets the requirements of this Zoning Ordinance shall be reduced in dimension or area below the minimum requirements set forth in this Zoning Ordinance. A yard or lot existing at the time of passage of this Zoning Ordinance shall not be further reduced below the minimum requirements of this Zoning Ordinance.

9. Where district regulations specify a minimum lot width at the street line, the minimum lot width shall be provided contiguous along the street line of one (1) street. It is prohibited, when calculating the width of a lot, to add widths along the street lines of two (2) or more streets. In the case of a corner lot, the minimum lot width must be provided along each street on which the lot fronts.

10. In the case of a lot of irregular shape, the Zoning Officer shall designate or assign the front, side and rear yards, as considered appropriate for the configuration and conditions.

11. All land area, which may be annexed to East Lampeter Township, shall be considered to be zoned in the same manner as the contiguous territory inside the previous municipal limits until otherwise classified.

Article 2: Definitions

Section 2010: General Interpretation.

A. For the purpose of this Zoning Ordinance, certain terms and words are defined under Section 2020. The following guidelines shall be utilized to interpret the terminology of this Zoning Ordinance:

1. Words used in the present tense shall include the future tense.

2. Words in the singular shall include the plural and words in the plural shall include the singular.

3. Words in the masculine shall include the feminine and the neuter.

4. The word "shall", “must” or “will” is mandatory.

5. The word "may" or “should” is permissive.

6. The word "person" includes “individual”, “corporation”, “partnership”, “organization”, “association”, “trust”, or other similar entities.

7. The words "used for" include "designed for", "arranged for", "intended for", "maintained for", or "occupied for".

8. The word "building" shall be construed as if followed by the phrase "or part thereof".

9. The word “structure” includes “building” and shall be construed as if followed by the phrase “or part thereof”.

10. The word “street” includes “expressway”, “arterial”, “highway”, “thoroughfare”, “avenue”, “boulevard”, “court”, “lane” and “road”.

11. The word “watercourse” includes “channel”, “creek”, “ditch”, “drain”, “spring”, “stream” and “swale”.

B. Any word or term not defined herein shall be used with a meaning of standard usage.

Section 2020: Definitions of Specific Terms

Unless otherwise specifically stated or defined, the following terms or words used with this Zoning Ordinance shall be construed as defined below:

Access Drive: An improved cartway or paved service road that is located, designed and constructed in order to provide internal vehicular access between a public or private road and through the off-street parking or loading area for the designated use. The term “access drive” shall be synonymous with the term “access lane”.

Access Point: A clearly defined point of ingress and egress for vehicles at the street line.

Accessory Building: A detached or subordinate building, the use of which is customarily incidental to that of the principal building, and which is located on the same lot as that occupied by the principal building.

Accessory Structure: A detached or subordinate structure, the use of which is customarily incidental to that of the principal building or use, and which is located on the same lot as that occupied by the principal building or use.

Accessory Use: A use customarily incidental and subordinate to the principal use or building and located on the same lot such principal use or building. Refer also to the definitions contained under “Floodplain Overlay District” and “Use”.

Acre: Forty-three thousand five hundred sixty (43,560) square feet.

Act: The Pennsylvania Municipalities Planning Code, as amended, revised and/or codified.

Act 247: The Pennsylvania Municipalities Planning Code, as amended, revised and/or codified.

Act 537: The Pennsylvania Sewage Facilities Act, as may be amended.

Act 537 Plan: The East Lampeter Township Sewage Facilities Plan, as adopted by the Board of Supervisors in accordance with Pennsylvania Act 537, as amended.

Adjacent: The state of being side by side, next to or adjoining one another. The term "adjacent" shall also be synonymous with the term "adjoining".

Administrative Office: An accessory or subordinate use to a permitted non-residential use that is conducted within a defined space of a principal building, which is generally occupied by employees, equipment and supplies in order to facilitate the functions of the permitted non-residential use.

Adult Use: Any business or entertainment uses that are further classified and defined by this Zoning Ordinance and the State Obscenity Code. The supplemental regulations for adult uses are further specified under Section 23020 of this Zoning Ordinance. The following definitions, provisions and examples are hereby provided to identify an adult use either as a stand alone use or in combination with any other uses.

1. An establishment having as a substantial or significant portion of its stock in trade or in which are displayed or viewed, magazines, periodicals, books, drawings, photographs, videos, paraphernalia, or other materials that are distinguished or characterized by their emphasis on depicting, describing, or displaying sexual activities or conduct or exposed male or female genital areas.

2. An establishment or place of assembly to which adult persons are permitted or invited to view or participate in the following uses:

    a. The use has all or a substantial or significant portion of its stock in trade consisting of any the following items, whether alone or in combination:

        (1) books, magazines or other periodicals as well as films or other forms of audio or visual representation that are distinguished or characterized by an emphasis on depiction, description, or display of sexual activities or conduct or exposed male or female genital areas

        (2) instruments, devices or paraphernalia which are designed primarily for use in connection with sexual activities or conduct; and/or

    b. The use has coin-operated or token-operated devices that are electronically or mechanically controlled motion picture machines, projectors, or other image producing devices maintained to show images, with or without sound, where the images so displayed are distinguished or characterized by an emphasis on depiction, description, or display of sexual activities or conduct or exposed male or female genital areas; and/or

    c. The use features male and/or female entertainers who engage in activities such as topless or bottomless dancing or stripping, or persons whose performance or activities include simulated or actual sex acts; and/or

    d. The use offers its patrons any other retail goods, services, or entertainment which is characterized by an emphasis on matter or activities relating to, depicting, describing or displaying sexual activity or conduct or exposed male or female genital areas.

3. The following specific uses are examples of adult uses, but shall not be considered the only types of adult uses:

    a. **Adult Bath House:** An establishment or business which provides the services of baths of all kinds, including all forms and methods of hydrotherapy during which specified anatomical areas are displayed or specified sexual activity occurs. This definition shall not apply to hydrotherapy treatment practiced by or under the supervision of a medical practitioner. A medical practitioner, for the purpose of this Ordinance, shall be a medical doctor, physician, chiropractor or similar professional licensed by the Commonwealth of Pennsylvania.

    b. **Adult Body Painting and/or Tattoo Studio:** Any establishment or business which provides the service of applying, covering or injecting either paint, ink, or other substances, whether transparent or non-transparent on anatomical areas.

c. **Adult Body Piercing Studio:** Any establishment or business which provides the service of piercing or penetration to parts of the body with earrings, studs, rings, jewelry and other items, whether transparent or non-transparent on anatomical areas.

d. **Adult Bookstore:** Any establishment which has as a substantial or significant portion of its stock in trade:

(1) books, films, magazines, periodicals, or other forms of audio or visual representation, which are distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas; and/or

(2) instruments, devices, or paraphernalia that are designed for use in connection with specified sexual activities.

e. **Adult Cabaret:** A nightclub, theater, bar, or other establishment that features live or media representations of performances by topless or bottomless dancers, go-go dancers, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas.

f. **Adult Massage Establishment:** Any establishment or business that provides the services of massage and body manipulation, including exercises, heat and light treatments of the body, and all forms and methods of physiotherapy, unless operated by a medical practitioner, chiropractor, professional physical therapist, or massage therapist who is both nationally certified in the practice of therapeutic massage by the National Certification Board for Therapeutic Massage and Bodywork, and who is a professional member with active status in good standing of the American Massage Therapy Association.

g. **Adult Mini Motion Picture Theater:** An enclosed or unenclosed building with a capacity of more than five (5), but less than fifty (50), persons used for presenting any form of audio or visual material, and in which a substantial portion of the total presentation time measured on an annual basis is devoted to the showing of material which is distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.

h. **Adult Model Studio:** Any place where, for any form of consideration or gratuity, figure models who display specified anatomical areas are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons paying such consideration or gratuity, except that this provision shall not apply to any "figure studio" or "school of art" or similar establishment that meets the requirements established by the Education Code of the Commonwealth of Pennsylvania, and is in fact authorized there under, to issue and confer a diploma.

i. **Adult Motel:** A motel or similar establishment offering public accommodations for consideration that provides patrons with material distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.

j. **Adult Motion Picture Arcade:** Any place to which the public is permitted or invited wherein coin- or slug-operated or electronically or mechanically controlled still or motion picture machines, projectors, or other image producing devices are maintained to show images to five (5) or fewer persons per machine at any one (1) time, and where the images so displayed are distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.

k. **Adult Motion Picture Theater:** An enclosed or unenclosed building with a capacity of fifty (50) or more persons used for presenting any form of audio or visual material in which a substantial portion of the total presentation time measured on an annual basis is devoted to the showing of material which is distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.

l. **Adult News Rack:** Any machine or device which dispenses material substantially devoted to the depiction of specified sexual activities or specified anatomical areas.

m. **Adult Outcall Service Activity:** Any establishment or business which provides an outcall service which consists of individuals leaving the premises upon request or by appointment to visit other premises for a period of time for the purpose of providing any service during which time specified anatomical areas are displayed or specified sexual activity occurs.

n. **Adult Sexual Encounter Center:** Any business, agency, or person who, for any form of consideration or gratuity, provides a place where two (2) or more persons, not all members of the same family may congregate, assemble or associate for the purpose of engaging in specified sexual activity or exposing specified anatomical areas, excluding psychosexual workshops operated by a medical practitioner who is licensed by the Commonwealth of Pennsylvania to engage in sexual therapy.

o. **Adult Theater:** A theater, concert hall, auditorium, or similar establishment, either indoor or outdoor, that regularly features live performances that are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas for observation by patrons.

p. **Other Adult Uses**: Any other business or establishment which offers its patrons services or entertainment characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.

4. The following subordinate definitions of "adult uses" are included in order to provide clarification concerning the terms "specified anatomical areas" and "specified sexual activities":

a. **Specified Anatomical Areas:** Human genitals, pubic region, buttocks, anus, female breasts below a point immediately above the top of areola, and human male genitals in a discernibly turgid state even if completely and opaquely covered.

b. **Specified Sexual Activities** - For the purposes of this Ordinance, this term shall include any of the following.

(1) Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, the use of excretory functions in the context of a sexual relationship, and any of the following depicted sexually oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, any zooërasty.

(2) Clearly depicted human genitals in a state of sexual stimulation, arousal, or tumescence.

(3) Human or animal masturbation, sodomy, oral copulation, coitus, ejaculation.

(4) Fondling or touching of nude human genitals, pubic region, buttocks, or female breast.

(5) Masochism, erotic or sexually oriented torture, beating, or the infliction of pain.

(6) Erotic or lewd touching, fondling, or other contact with an animal by a human being.

(7) Human excretion, urination, menstruation, vaginal, or anal irrigation.

Agriculture: The tilling of the soil, the raising of crops, horticulture, and the keeping or raising of livestock and other similar animals for commercial distribution in accordance with the provisions specified by state and federal agencies with jurisdiction. This definition also includes non-commercial greenhouses and mushroom houses as well as the processing and retail sale of goods produced on the farm. This definition also includes uses devoted to research into agricultural technology that would change the conduct of normal farming operations. This definition does not include concentrated animal feeding operations, concentrated animal operations, hydroponics, as defined by this Zoning Ordinance.

Agricultural Control Filter Strip: A strip of grass, trees or shrubs that filters runoff and removes sediment, fertilizer, pesticides, herbicides, fungicides or other poisons before they reach water bodies or water sources including wells.

Agricultural Operation: An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock, and livestock products; and/or in the production, harvesting, and preparation for market or use of agricultural, agronomic, horticultural, silvicultural, and aquacultural crops and commodities. The term includes an enterprise that implements changes in

production practices and procedures or types of crops, livestock, livestock products, or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry. For the purposes of this Ordinance, this term excludes "nursery," "commercial greenhouse," "hydroponics," "residential gardens", "cervidae livestock operation", "concentrated animal operation (CAO),", "concentrated animal feeding operation (CAFO)," as defined by this Zoning Ordinance. The provisions that specifically apply to agricultural operations are contained under Section 23030 of this Zoning Ordinance.

Airport: Any area of land or water which is used, or intended to be used, for the landing and takeoff of aircraft and any appurtenant areas which are used, or intended to be used, for airport buildings or navigation facilities or rights-of-way, together with all airport buildings and facilities thereon. The provisions relating to an airport are further specified under Sections 21030 and 23040 of this Zoning Ordinance.

Airport Overlay District: A special overlay of land, water and air space established for the purposes of creating and identifying a variety of features and zones including: runways, runway approach zones; transitional zones, horizontal zones; and conical zones. In addition, height limitations and land use restrictions were created to protect the health, safety and general welfare of the aircraft as well as those residents and buildings located on the ground. The term "Airport Overlay District" shall also be synonymous with the term "Airport Hazard Area", which is recognized and regulated by the Pennsylvania Department of Transportation and the Federal Aviation Administration. The provisions of the Airport Overlay District are further specified under Section 21030 of this Zoning Ordinance and the reference zones are depicted on an insert of the Zoning Map. The following terms and categories shall specifically apply to the Airport Overlay District:

1. **Aircraft:** Any contrivance, except an unpowered hang glider or parachute, used for manned ascent into flight through the air.

2. **Airport Elevation:** The highest point of an airport's usable landing area measured in feet above sea level. The airport elevation for the Lancaster Airport is 403 feet above sea level and the airport elevation for the Smoketown Airport is 370 feet above sea level.

3. **Airport Hazard:** Any structure, object (natural or man-made), or use of land that obstructs the airspace required for flight or aircraft in landing or taking off at an airport, or is otherwise hazardous as defined by "Airport Hazard Area" within this Zoning Ordinance as well as by the laws specified of the Pennsylvania Department of Transportation and the Federal Aviation Administration.

4. **Airport Hazard Area:** Any area of land or water upon which an airport hazard might be established if not prevented as provided for in this Zoning Ordinance as well as by the laws specified of the Pennsylvania Department of Transportation and the Federal Aviation Administration. The zones are depicted on an insert of the Zoning Map. The term "Airport Hazard Area" shall also be synonymous with the term "Airport Overlay District".

5. **Approach Surface Zone:** An imaginary surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of the runway based on the planned approach. The inner edge of the approach surface is the same width as the primary surface and expands uniformly depending on the planned approach.

6. **Conical Surface Zone:** An imaginary surface extending outward and upward from the periphery of the horizontal surface at a slope of twenty (20) feet horizontally to one (1) foot vertically for a horizontal distance of 4,000 feet.

7. **Department:** Pennsylvania Department of Transportation.

8. **FAA:** Federal Aviation Administration of the United States Department of Transportation.

9. **Height:** For the purpose of determining the height limits in all zones set forth in this Zoning Ordinance and shown on the Zoning Map, the datum shall be mean sea level elevation unless otherwise specified.

10. **Horizontal Surface Zone:** An imaginary plane 150 feet above the established airport elevation that is constructed by swinging arcs of various radii from the center of the end of the primary surface and then connecting the adjacent arc by tangent lines. The radius of each arc is based on the planned approach.

11. **Larger Than Utility Runway:** A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

12. **Non-Conforming Use:** Any legally pre-existing structure, object of natural growth, or use of land which does not conform or is inconsistent with the provisions of this Zoning Ordinance or any amendment thereto.

13. **Non-Precision Instrument Runway:** A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.

14. **Obstruction:** Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth by this Zoning Ordinance.

15. **Precision Instrument Runway:** A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precisions Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

16. **Primary Surface Zone:** An imaginary surface longitudinally centered on the runway, extending 200 feet beyond the end of paved runways or ending at each end of turf runways. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline..

17. **Runway:** A defined area of an airport prepared for landing and takeoff of aircraft along its length.

18. **Structure:** An object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formation and overhead transmission lines.

19. **Transitional Surface Zone:** An imaginary surface that extends outward and upward from the edge of the primary surface to the horizontal surface at a slope of seven (7) feet horizontally to one (1) foot vertically (7:1).

20. **Tree:** Any object of natural growth.

21. **Utility Runway:** A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less.

22. **Visual Runway:** A runway intended solely for the operation of aircraft using visual approach procedures.

All-Weather Surface: A street, access lane, pathway, parking area and/or loading area, which is improved with a sufficient base and paving materials that are capable of accommodating pedestrian and/or vehicular traffic when exposed to all weather conditions throughout the calendar year.

Alley: A minor right of way, privately or publicly owned, primarily for service access to the rear or sides of properties.

Alterations: Any exterior structural addition to a building; any renovation to a building which would change its use; any change or rearrangement in the structural parts of a building such as bearing walls, columns, beams or girders, joists or rafters, or enclosing walls; the moving of a building from one location or position to another.

Alternative Energy Facility: A private facility capable of converting solar, water, wood, fire and/or wind into a viable energy source and utility provisions for a permitted use. Such facilities may include solar panels, wind turbines, geothermal heat pumps, wood-fired boilers and/or other similar alternative energy facilities. The provisions specified for alternative energy facilities are contained under Section 23050 of this Zoning Ordinance. The following terms shall specifically apply to alternative energy facilities:

1. **Alternative Energy**: A source of energy generated from solar, water, wind, wood, fire, geothermal or similar sources, which is capable of providing energy and utility provisions to a permitted use.

2. **Attached Alternative Energy Facility**: A facility that is physically mounted, attached and/or connected (except utility and energy transfer connections) to a permitted principal building in accordance with all pertinent zoning, utility and building code requirements.

3. **Clean Wood**: Natural wood that has no paint, stains, or other types of coatings, and natural wood that has not been treated with copper chromium arsenate, creosote, pentachlorophenol, or other substances that may be detrimental to the health, safety or general welfare of nearby residents.

4. **Facility Owner**: The entity or entities having an ownership interest in the alternative and/or emerging energy facility, including their successors and assigns.

5. **Freestanding Alternative Energy Facility**: A facility that is not physically mounted, attached and/or connected (except utility and energy transfer connections) to a permitted principal building. All such facilities shall be considered a separate or accessory structure that has the abilities to convert and convey energy to the principal use in accordance with all pertinent zoning, utility and building code requirements.

6. **Geothermal Heat Pump**: An energy system utilized for heating and cooling purposes through a series of heat-exchanging pipes or tubes integrated into the ground, groundwater or surface water with a heat-exchanging media that flows through a closed loop system. A pump forces either water or air through the system where it either gains or loses temperature before it circulates back to the heat pump.

7. **Hub Height**: The distance measured from the surface of the tower foundation to the height of the wind turbine hub, to which the blade or other accessory components are attached.

8. **Landowner**: Any person(s) or entity owning property within east Lampeter Township.

9. **Local Service Area Facility**: A facility located on a conforming lot as a single use or in combination with other permitted uses, which provides alternative energy via a solar, wind or geothermal system within a 3,000 linear foot service area, as measured from the energy source to the permitted uses accepting the service. A "local service area facility" shall be classified and regulated as an "alternative energy facility".

10. **Manure Digester**: A method for processing organic sludge generally resulting from the biological treatment of solid or liquid waste through activated sludge processes. Under this process the organic sludge is treated in the absence of oxygen to generate energy as well as reduce the quantity of sludge by breaking down the organic matter. The resultant sludge is rich in nutrients and organic matter, which may improve soil conditions for agricultural operations. A "manure digester" may also be referred to as a "biomass facility".

11. **Non-Participating Landowner**: Any landowner except those on whose property all or a portion of an alternative and/or emerging energy facility is located pursuant to the provisions of this Zoning Ordinance.

12. **Operator**: The entity responsible for the day-to-day operation and maintenance of the alternative and/or emerging energy facility.

13. **Occupied Building**: A building located on a parcel of land utilized as a permitted use in accordance with the provisions of East Lampeter Township.

14. **Private Energy and Utility Provider**: A principal use owned, operated and/or maintained by a private or independent utility company for the purposes of providing energy within a defined service area or grid system in accordance with the provisions established by the Public Utility Commission and the Public Utility Code.

15. **Solar Energy Systems**: A system that converts solar energy into thermal or electrical energy. The solar energy is collected through solar cells, modules and/or panels and than transferred to an inverter (DC to AC power), which can be utilized as an electrical source or transferred into the utility grid system.

16. **Turbine Height**: The distance measured from the surface of the tower foundation to the lowest and/or highest point of the turbine rotor plane.

17. **Wind Turbine**: A wind energy conversion system that converts wind energy into electricity through the use of a generator, which may include a nacelle (shroud/cover), rotor, tower, transformer pad, blades, spirals, helixes and/or and the supporting energy apparatus.

18. **Wind Energy Facility**: An electric generating facility, whose main purpose is to convert and supply electricity to a permitted use. Such facilities may include wind turbines, blades, spirals, helixes and/or other accessory wind generating structures, which may also include buildings, substations, meteorological towers (for weather monitoring), electrical infrastructure, transmission lines and other appurtenant structures and facilities.

19. **Wood-Fired Boiler**: An alternative energy facility designed to burn clean wood or other permitted solid fuels, which transfers heated air or liquid through a piping or ventilation system. All such systems are generally contained within an accessory structure that is not intended for habitation by humans or animals. An outdoor wood-fired boiler may also be known as outdoor wood-fired furnaces, outdoor wood-burning appliances, outdoor hydraulic heaters and/or waterstoves, which are designed, installed and operated in accordance with state and federal air quality and emission requirements.

Ambient Noise Level: The sound pressure level at a given location, normally specified as a reference level to study a new intrusive sound source. The term "ambient noise level" may also be referred to as background noise level.

Amusement Arcade: An accessory commercial use contained within a building occupied by a permitted commercial use within the General Commercial (C-2) Zoning District and Regional Commercial (C-3) Zoning District, which includes amusement devices and/or games of skill or chance (e.g., pinball machines, video games, skeet-ball, electronic or water firing ranges and other similar devices) for the patrons or customers. This definition does not include any permitted uses containing less than eight (8) such amusement devices as an accessory use within any zoning district.

Amusement Park: A lot used principally as a location for permanent amusement structures, rides, or activities. The provisions that specifically pertain to an amusement park are contained under Section 23060 of this Zoning Ordinance.

Animal Equivalency Unit (AEU): A standardized measure that enables regulation of density or intensity of animal population upon an area of land. One (1) AEU is equivalent to one thousand (1,000) pounds of animal(s), including both animals customarily raised as livestock as well as animals kept as pets.

Applicant: A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.

Application for Development: Every application, whether preliminary or final, required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan.

Appointing Authority: The East Lampeter Township Board of Supervisors.

Approved Private Street: A right-of-way which provides the primary vehicular access to a lot, not dedicated or deeded to the Township, but approved by the Board of Supervisors and shown on a recorded subdivision or land development plan.

Architect: An architect registered by the Commonwealth of Pennsylvania.

Architectural Feature: A design element applied to the façade of a building that may include features such as recesses, openings, windows, cornices, quoins, porticos, vertical articulations, medallions, stonework, trellises, stylized lighting features, structural details and/or variable materials, which are designed to enhance the appearance of the building and avoid massive or monotonous building facades.

Architectural Relief: The extension or recession of the building façade providing an offset or depth break, which is designed to enhance the appearance of the building and avoid massive or monotonous building facades.

Area: The two-dimensional measurement of space between known lines or boundaries.

Attic: Portion of a building that is immediately below and completely or partly within the roof framing. Within a dwelling unit, an attic shall not be counted as floor area unless it is constructed as or modified into a habitable room by the inclusion of dormer windows, an average ceiling height of five (5) feet or more, and a permanent stationary interior access stairway to a lower building story.

Automobile Repair Facility: A facility which includes, but is not limited to, garages operated by or employing auto and engine mechanics; drive-through lubrication and tire services; motor vehicle painters; facilities for the repair and/or servicing of motor vehicle brakes, mufflers, transmissions, and windshields; facilities that repair or renovate motor vehicle bodies and/or frames; facilities for the installation, repair, or other servicing of vehicle-based sound systems; and vehicular upholstery shops. The supplemental regulations for an automobile repair facility are contained under Section 23080 of this Zoning Ordinance.

Automobile Sales: Any building or land devoted to the retail sales of passenger vehicles (including automobiles, pick-up trucks and passenger vans), including accessory service and repair facilities, provided that they are subordinate to the principal use and conducted within a completely enclosed building. The supplemental regulations for automobile sales are contained under Section 23090 of this Zoning Ordinance.

Automobile Service Station: Any area of land, including structures thereon, that is used for minor repair and servicing of motor vehicles as a retail service, including the retail sale of motor vehicle accessories, gasoline and other motor vehicle fuels, and oil and other lubricating substances, and a limited selection of food and household items as an accessory operation. Outside storage of inoperable or unlicensed motor vehicles is limited to a maximum of two (2) days for each such vehicle. This term excludes major repair of motor vehicles (including body work and painting), retail sale or rental of motor vehicles, and car washes. Any business or industry dispensing fuel only for its own use and vehicles will not be deemed to be an automobile service station. The supplemental regulations for an automobile service station are contained under Section 23080 of this Zoning Ordinance

Barn: A principal or accessory building located on a farm and utilized for agricultural related uses.

Basement: That portion of a building that is partly or completely below the grade plane. A basement shall be considered a story above grade plane when the finished surface of the floor above the basement is as follows: more than six (6) feet above the grade plane; more than six (6) feet above the finished ground level for more than fifty (50) percent of the total building perimeter; and/or more than twelve (12) feet above the finished ground level at any point. The definition of "basement" as it relates to the Floodplain Overlay District is contained under Sections 2020 and 21040 of this Zoning Ordinance.

Bed and Breakfast Establishment: A single-family detached dwelling, where not more than five (5) sleeping accommodations are rented on a daily basis for a period of time not exceeding fourteen (14) consecutive days. Breakfast may be offered only to registered overnight guests. The supplemental regulations for a bed and breakfast establishment are contained under Section 23110 of this Zoning Ordinance.

Board of Supervisors: The Board of Supervisors of East Lampeter Township, Lancaster County, Pennsylvania.

Boarding House: A building or portion thereof arranged or used for sheltering and/or feeding for compensation of more than three (3) rental units that may be occupied by no more than three (3) unrelated persons. The supplemental regulations for a boarding house are specified under Section 23120 of this Zoning Ordinance.

Bowling Alley: A commercial recreation use contained within a building in which players attempt to score points by rolling a bowling ball along a flat surface, usually a wooden or synthetic surface, either into pins or to get close to a target ball. The supplemental regulations for a bowling alley are specified under Section 23130 of this Zoning Ordinance.

Buffer: A continuous strip of land that is clear of all buildings and paved areas and is landscaped in accordance with this Zoning Ordinance.

Buggy: A carriage drawn by a horse or group of horses. It is frequently used by the Amish and plain sects as a means of transportation.

Building: Any combination of material forming any structure, which is erected on the ground and permanently affixed thereto, whereas the framed components or structural parts are designed for the complete enclosure (with walls and a roof) and support for individuals, animals or property of any kind. Also refer to the definition of "building" as contained under the definitions for the "Floodplain Overlay District".

Building Area: The total area taken on a horizontal plane at the main grade level of all primary and accessory buildings on a lot, excluding unroofed porches, paved terraces, steps, eaves and gutters, but including all enclosed extensions.

Building Coverage: The percentage of a lot covered by principal and accessory buildings.

Building Envelope: The area of a lot that has no building or construction restrictions such as, building setback requirements, rights-of-way, easements, floodplains, wetlands, or similar restrictions as defined in this Zoning Ordinance.

Building Frontage: The front of a building considering the location of the main entrance and the public street or approved private street providing access.

Building Height: The vertical measurement of a building from the average elevation of the ground abutting the corners of the building to the highest point of the roof, provided that chimneys, spires, towers and elevator penthouses, tanks and other similar projections shall not be included in calculating the height. The ground level for new buildings shall be the lower of the ground level existing at the time of construction or the ground level existing prior to construction and prior to any earth disturbance at the site. This prior ground level may be established by a professional land surveyor and any reliable source, including, without limitation, affidavits of people who are personally familiar with the site, existing topographic maps, aerial photographs, photographs of the site.

Building Length: The longest horizontal dimension of a building, as measured in a single straight direction.

Building Permit: A permit issued by East Lampeter Township for building, construction and/or site improvements in accordance with the provisions of the Uniform Construction Code.

Building Setback: The minimum distance a building or structure must be setback from a street immediately adjacent thereto, as measured from the street right-of-way line or from the street centerline, whichever is greater.

Building Setback Line: The line within a property establishing the minimum required distance between any building or structure, or portions thereof can be located. The building setback line shall be measured from the street right-of-way line and the property line of an adjacent property.

Business Park: A group of buildings designed and constructed to create a campus-type setting, the principal use of which is the conduct of private and public business along with such subordinate uses as permitted by this Zoning Ordinance.

Campgrounds: A lot, tract, or parcel of land upon which two or more campsites are located or established, intended and maintained for occupation by transients in recreational vehicles, campers, travel trailers or tents. The supplemental regulations for campgrounds are contained under Section 23140 of this Zoning Ordinance

Campsite: A plot of ground within a campground intended for occupation by a recreational vehicle, tent, camper, or travel trailer.

Car Wash: A commercial facility used to clean the exterior, and sometimes the interior, of automobiles. There are several types of car washes, ranging from do-it-yourself coin-operated facilities to fee-based full-service operations. The term "car wash" shall be synonymous with the term "car washing facility". The supplemental regulations for a car wash are contained under Section 23150 of this Zoning Ordinance

Carport: A roofed structure open on two (2) or more sides and used in conjunction with a dwelling for the storage of motor vehicles.

Cemetery: Land used or intended to be used for the burial of the deceased, including columbariums, crematoria, mausoleums, and mortuaries when operated in conjunction with the cemetery and within the boundaries thereof. The supplemental regulations for a cemetery are contained under Section 23160 of this Zoning Ordinance.

Cervidae Livestock Operation: A farm operation, with a current license issued by the Pennsylvania Department of Agriculture (PDA) to operate a cervidae livestock operation, which contains behind fences privately owned members of the genus and species cervus elaphus involved in the production, growing, breeding, using, harvesting, transporting, exporting, importing or marketing of cervidae species or cervidae products; and does not allow captive bred or captive held cervidae species to be harvested through hunting anywhere on the farm operation.

Channel: A natural or artificial watercourse with a definite bed and banks that confine and conduct continuously or periodically flowing water.

Child Care Facility: A portion of a building or use that provides supplemental care, supervision and/or instruction, as an accessory or subordinate use to children who are not related to the caregiver or operator, where fees or other forms of compensation may be charged to facilitate the child day care use.

Commercial Support Uses: A principal use located on a single lot or parcel of land with a maximum area of two (2) acres. A commercial support use may include: day care facility; hotel or motel; recreation club; personal service use; dry cleaning or laundry use with drop-off and pick-up services only; retail use; restaurant; and/or financial institution.

Common Parking Area: A parking facility serving multiple uses or properties that is not owned by one user or property, although it may be owned jointly by all or some of the users.

Common Wall: A wall used or adopted for joint service between two (2) buildings or parts thereof where there are no openings which permit ingress and egress between the two (2) buildings.

Community Center, Residential: A building or portion of a building used as a gathering place or meeting area by local residents of the development within which it is located. The term "community center, residential" shall also be synonymous with the term "residential community center" or "community center for a residential use". The supplemental regulations for a community center for a residential use are contained under Section 23170 of this Zoning Ordinance.

Completion: The act of bringing to a condition of physical completeness and readiness for use and occupancy.

Composting: The conversion of organic matter, such as yard waste, to fertilizer, soil or other natural products.

Comprehensive Plan: A plan adopted by East Lampeter Township, which has been prepared and adopted by East Lampeter Township in accordance with the provisions of the Pennsylvania Municipalities Planning Code.

Concentrated Animal Feeding Operation (CAFO): An agricultural use regulated by the Commonwealth of Pennsylvania (Pennsylvania Department of Environmental Protection and Pennsylvania Department of Agriculture) and/or other agencies with jurisdiction, which are involved with the commercial keeping and handling of livestock. The supplemental regulations for a concentrated animal feeding operation (CAFO) are contained under Section 23180 of this Zoning Ordinance

Concentrated Animal Operation (CAO): An agricultural use determined by the Commonwealth of Pennsylvania (Pennsylvania Department of Environmental Protection and Pennsylvania Department of Agriculture) and/or other agencies with jurisdiction, which involves the commercial keeping and handling of livestock and/or poultry quantities with densities exceeding 2,000 pounds per acre, which are suitable for the application of manure on an annualized basis. The supplemental regulations for a concentrated animal operation (CAO) are contained under Section 23180 of this Zoning Ordinance.

Conditional Use: A use which may be appropriate to a particular zoning district when specific conditions and criteria prescribed for such uses are satisfied by the applicant. Conditional use applications shall be reviewed and considered by the Board of Supervisors in accordance with provisions and procedural requirements specified under Section 25080 of this Zoning Ordinance.

Condominium: Real estate, portions of which in accordance with the provisions of the Pennsylvania Uniform Condominium Act, as may be amended, are designated for separate ownership and the remainder of which is designed for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

Conestoga Valley Region: The regional area consisting of East Lampeter Township, Upper Leacock Township and West Earl Township in Lancaster County, Pennsylvania, and excluding all other municipalities; also, the collective governments and/or governing bodies, and/or any other agencies of these municipalities as the context may imply.

Conservation Plan: A plan including a map(s) and narrative that, as a minimum, describes an erosion and sedimentation control plan for an identified parcel of land, as per local, state and federal regulations.

Consistency: An agreement or correspondence between matters being compared, which denotes a reasonable, rational, or similar connection or relationship.

Construction: The placement of materials and equipment in a defined area to be assembled, built, applied, and/or demolished in a temporary or permanent manner, as approved by the agencies with jurisdiction.

Construction Site: The total land area that is required and considered necessary for all buildings, site improvements or permitted uses within a development.

Contractor Storage Yard: Land and buildings utilized by a contractor for the storage of vehicles, equipment, tools, machinery, building materials, stone, soil, fuel and/or similar items that relate to the normal operations of a contractor for off-site construction or improvement projects. The supplemental regulations for a contractor storage yard are contained Section 23190 of this Zoning Ordinance.

Convenience Store: A retail use that primarily sells routine household goods, groceries, and ready-to-eat foods to the general public, but that is not primarily a restaurant, and that includes a building that complies with the provisions of this Zoning Ordinance. A convenience store shall not have a drive-through service facilities or lanes. The supplemental regulations for convenience stores are specified under Section 23200 of this Zoning Ordinance.

Convention Center: An assemblage of uses that provide a setting for indoor and outdoor exhibits and activities to serve various business activities, meetings, training sessions, entertainment, and recreation on a temporary basis. This use may include conference center, meeting rooms, exhibition center, exposition center, hotels, restaurants, entertainment facilities, recreation facilities, sports arena, theater, and similar uses. The supplemental regulations for a convention center are contained under Section 23210 of this Zoning Ordinance.

Conversion: To change or adapt improved property to a use, occupancy, or purpose other than what was intended at its time of construction.

Country Club: An area of land or building owned, leased or occupied by an association of persons, operated solely for a recreational, social, fraternal, religious, political or athletic purpose, and whose activities are confined to the members and guests and are not extended to the general public.

County: The County of Lancaster, Commonwealth of Pennsylvania.

County Planning Commission: The Lancaster County Planning Commission.

Crematorium: Land and a building utilized for cremation services, which is the process of reducing dead human or animal bodies to basic chemical compounds in the form of gases and bone fragments, which is typically accomplished through high temperatures and vaporization. Cremation may serve as part of a funeral or post-funeral rite that is an alternative to the interment of an intact body in a casket. Cremated remains, which are not a health risk, may be buried or immured in memorial sites or cemeteries, or they may be legally retained by relatives or dispersed in a variety of ways and locations. The term "crematorium" may also apply to "cremation".

Curative Amendment: A proposed zoning amendment made to the Board of Supervisors by any landowner/applicant who desires to challenge on substantial grounds the validity of an ordinance which prohibits or restricts the use or the development of land in which the landowner/applicant has an interest.

CV Region: The Conestoga Valley Region.

Day Care Use, Center or Facility: The offering of care or supervision to minors or adults with special needs. The following sub-categories are related to day-care centers and facilities:

1. **Day Care Facility as a Commercial Use**: A facility or use that provides supplemental care, educational opportunities and/or supervision to children and adults, as further defined and regulated by the Commonwealth of Pennsylvania and other agencies with jurisdiction. The supplemental regulations for "day care facility as a commercial use" are further specified under Section 23220 of this Zoning Ordinance.

2. **Day Care as a Home Occupation Use**: A building principally used as a residence by one adult caregiver resident thereof in which child day-care is provided in accordance with the provisions of East Lampeter Township, the Commonwealth of Pennsylvania and other agencies with jurisdiction. The supplemental regulations for "day care facility as a home occupation use are further specified under Section 23220 of this Zoning Ordinance.

Deed: A legal document sealed as an instrument of bond, contract, or conveyance, especially relating to property.

Density: A term used to express the allowable number of dwelling units per gross acre of land.

DEP or PADEP: The Pennsylvania Department of Environmental Protection and any agency successor thereto.

Developer: Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

Development: Any manmade change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured homes; streets, and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.

Development Plan: The provisions for development; a plat of subdivision; all covenants relating to use, location and bulk of buildings and other structures; intensity of use or density of development; streets, ways and parking facilities; and common open space and public facilities. The phrase "provisions of the development plan" shall mean the written and graphic materials referred to in this definition.

Distance Between Buildings: The space between two (2) buildings, measured at the points (minimum or maximum) between buildings.

Distribution Center: A building whose purpose is the storage of goods awaiting bulk orders for delivery or distribution.

District: A portion of East Lampeter Township within which certain uniform regulations and requirements or combinations thereof apply under the provisions of this Zoning Ordinance.

Domestic Pets: The keeping of adult non-farm animals as a non-commercial use, that are locally available for purchase as pets, as an accessory use to a primary residential use and not detrimental to the health, safety and welfare of the community. Any animal which requires the issuance of a permit by the Pennsylvania Game Commission shall not be considered a domestic pet.

Dormitory: A housing facility or residence hall established to occupy students attending a nearby educational use during the time of year when the educational use is in session. All student housing units or dormitories may include defined sleeping and living areas, common sanitary sewage facilities, common bathing facilities, common cooking facilities, and other similar uses.

Drive-Through Service Facility: A commercial establishment where patrons are provided specialty services as part of a permitted use without parking or leaving their vehicle, as further defined and regulated by this Zoning Ordinance. The term "drive-through service facility" shall also be synonymous with the terms "drive-through service", "drive-through facility", "drive-through service lane" and "drive-through access lane".

Drive-Through Service Lane: The portion of a drive-through service facility that accommodates a motor vehicle by which the operator is in an active queuing position to order, purchase and pick-up the selected item without parking or leaving the vehicle. The drive-through service lane shall be located along the side and/or rear of the building.

Driveway: A privately owned and improved cartway, providing vehicular access between a public or private road into the lot or parcel occupied by a permitted use that has frontage on the public or private road.

Drone: A portable or unmanned aerial vehicle capable of taking flight and being controlled within the atmosphere utilizing instruments. The provisions relating to personal, private and commercial use of a drone are contained under Sections 21030 and 23040 of this Zoning Ordinance.

Dry Cleaners: A commercial use and facility where clothing or fabrics are cleaned and pressed utilizing non-aqueous solvents, solutions or other accepted practices. The supplemental regulations for dry cleaners are specified under Section 23230 of this Zoning Ordinance.

Dwelling: A building or structure or portion thereof arranged, intended, designed or used as the living quarters for one (1) or more families living independently of each other. Such buildings as hospitals, hotels, boarding, rooming, lodging houses, nursing homes, motels and institutional residences are not included in the definition of dwelling. The following dwelling types are further defined as follows:

1. **Single-Family Detached Dwelling**: A freestanding building containing one (1) dwelling unit that is designed for occupancy by one (1) family. Manufactured homes can be considered single-family detached dwellings if, in addition to the requirements listed for all dwellings, the manufactured home is securely anchored to the permanent foundation, and all of the apparatuses used to transport the unit shall be removed, including the towing hitch. Recreational vehicles shall not be construed as dwellings. Manufactured homes and Modular homes shall be considered single-family detached dwellings.

2. **Single-Family Semi-Detached Dwelling**: Either one of two (2) dwellings within a building arranged, intended, or designed to be occupied exclusively as a residence for two (2) families, where each dwelling is separated from the other by an unpierced common wall..

3. **Multi-Family Dwelling**: A building arranged, designed and intended to be occupied primarily as a residence consisting of three (3) or more units. Individual dwelling units may share up to three (3) common walls or party walls with other units and either have a common outside access area or have individual outside access areas, which shall be designed in accordance with the Uniform Construction Code. Types of such buildings shall include apartments, townhouses and/or condominiums. The supplemental regulations for multi-family dwellings are further specified by this Zoning Ordinance.

4. **Townhouse**: A building arranged, designed and intended to be occupied exclusively as a residence for one (1) family, which is one (1) of a group of three (3) to eight (8) buildings, placed side by side and separated by unpierced vertical common walls, each dwelling having at least one (1) separate entrance from the outside. The supplemental regulations for townhouses are further specified under Section 23830 of this Zoning Ordinance.

5. **Mobile Home**: A transportable, single-family dwelling constructed in accordance with the specifications of the Commonwealth of Pennsylvania intended for permanent occupancy contained in one (1) unit, or in two (2) or more units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. The term "mobile home" shall be relevant to the dwellings that area contained within a "manufactured home park" or "mobile home park".

6. **Modular or Manufactured Home**: A structure, transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when attached to the required utilities. The term excludes park trailers, travel trailers, recreational and other similar vehicles.

7. **ECHO Housing as an Accessory Use:** A temporary dwelling unit placed on a property with another single-family detached dwelling for occupancy by either an elderly, handicapped, or disabled person related by blood, marriage, or adoption, to the occupants of the principal dwelling. The unit can also be occupied by the caregiver to the person in the principal dwelling. The supplemental regulations for "ECHO housing as an accessory use" are further specified under Section 23240 of this Zoning Ordinance.

8. **Apartment as an Accessory Use**: A dwelling unit for rent and/or lease on a lot with a permitted single-family detached dwelling or a permitted non-residential use. The supplemental regulations for "apartment as an accessory use" are further specified under Section 23070 of this Zoning Ordinance.

9. **Miniature Housing Units**: A permanent, temporary or transportable single-family dwelling that shall be designed, located, constructed and occupied in accordance with the codes and specifications of East Lampeter Township and the Commonwealth of Pennsylvania. Miniature housing units or "tiny houses" may be utilized as a permitted secondary housing unit, ECHO unit or as a manufactured home.

Dwelling Unit: A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living sleeping, eating, cooking and sanitation.

Earthmoving Activity: Any construction or other activity which disturbs the surface of the land including, but not limited to, excavations, embankments, land development, subdivision development, mineral extraction, and the moving, depositing or storing of soil, rock, or earth. For the purposes of this Zoning Ordinance, this term shall exclude tilling of the soils and cultivation associated with the growing of crops

Easement: A defined parcel area of land or right-of-way, which is granted or conveyed for the limited use of land for public, quasi-public or private purposes.

Egress: A point of exit from a property.

Elevation: The horizontal alignment of a surface above mean sea level, as it exists in pre-development conditions or as it is proposed in post development conditions.

1. **Centerline Elevation**: The elevation of the street at the midpoint of the street.

2. **Curb Elevation**: The elevation of the street at the curb line.

3. **First Floor Elevation**: The elevation of the level of living space at the main entrance of the building.

4. **Garage Elevation**: The elevation of the garage floor at the center of the garage door.

Emergency Service Facility: A facility for the purpose of housing vehicles, equipment and services for police, fire stations, ambulance stations, and other similar uses. The supplemental regulations for an emergency service facility are specified under Section 23250 of this Zoning Ordinance.

Employee: A person hired by the owner or site manager of a permitted use in accordance with the provisions of this Zoning Ordinance. The following terms for "full-time employee" and "part-time employee" are hereby defined:

1. Full Time Employee: A person who works thirty-two (32) or more hours per week on average week throughout the year.

2. Part Time Employee: A person who works less than thirty-two (32) hours per week on average throughout the calendar year.

Engineer: A professional engineer, licensed as such in the Commonwealth of Pennsylvania.

Exotic Animals: Any animals, including mammal, bird or reptile, not normally raised as livestock, for work, or breeding purposes, and not defined as a domestic pet , or any animal which is wild, fierce, dangerous, noxious or naturally inclined to do harm which represents a danger to life and limb. Any permitted exotic animals shall require the approval of state and/or federal agencies.

Extended Stay Hotel: A type of hotel that offers temporary residential accommodations to guests or transients for not more than one hundred eighty (180) cumulative days within a given calendar year. An extended stay hotel may include an individual kitchen, cooking, cleaning, bathing and other efficiency facilities. An extended stay hotel shall not be classified and/or occupied as a residential apartment or multi-family dwelling. The supplemental regulations for extended stay hotels are specified under Section 23400 of this Zoning Ordinance.

Façade: The front face or principal orientation of a building located along the cartway or street frontage of the lot on which the building is located.

Family: A family, as defined by the laws of the Commonwealth of Pennsylvania, which may include:

1. One (1) person occupying a single dwelling;

2. Two (2) or more persons related by blood, marriage or adoption, living together in a single dwelling and maintaining it as a functional common household;

3. A group of not more than three (3) persons unrelated by blood, marriage or adoption, living together in single dwelling and maintaining it as a functional common household.

4. No more than eight (8) related or unrelated persons who are the functional equivalent of a family in that they live together, participate in such activities as meal planning, shopping, meal preparation, and the cleaning of their dwelling unit together and who are part of a community-based residential home that qualifies as a community living arrangement licensed by the Commonwealth of Pennsylvania or other federal or state agency having jurisdiction, where the persons occupying the home are handicapped persons under the terms specified by state and federal law, and where the operator of the home provides room and board, personal care, rehabilitative services, and supervision in a family environment. The presence of staff persons in a home meeting this definition shall not disqualify the group of persons occupying the dwelling unit as a "family."

Farm: A parcel of land ten (10) acres or more that is used for one (1) or more agricultural operations including but not necessarily limited to the raising of agricultural products, livestock, poultry, or the production of dairy products. A "farm" shall be understood to include a dwelling unit as well as all structures necessary for the housing of animals, storage of feed and equipment, and other operations customarily incidental to farm use

Farm Animals: Those animals typically associated with a farm or agricultural operation, as further defined by the Pennsylvania Department of Agriculture. A "farm animal" shall not be considered as a "domestic pet" or an "exotic animal", as defined by this Zoning Ordinance. This term shall also exclude deer, elk and other large game animals. A "farm animal" shall be synonymous with the term "livestock".

Farm Building: A barn, silo, or other building used for agricultural operations permitted by this Ordinance. The term "farm building" shall not include a dwelling.

Farm Lane: An access drive or lane located on a farm or adjacent to a farm, which is utilized to transport vehicles, equipment, machinery, farm animals, produce and/or other uses associated with an agricultural operation.

Farm-Support Business Use: An accessory use to an agricultural operation, which may include a farm-support business operation and/or a farm-support limited impact business operation as further regulated under Section 23260 of this Zoning Ordinance.

Farmers Market: A retail sales use where more than one vendor displays and sells general merchandise that is new or used on a regular occurring basis. Farmers and/or flea markets can include indoor and outdoor display of merchandise. The supplemental regulations for a farmers market are specified under Section 23270 of this Zoning Ordinance.

FCC: The Federal Communications Commission of the United States of America.

Fence: A barrier constructed of wood, plastic, stone, chain link, or similar materials designed for the purpose of limiting or excluding access to a property or for the purpose of screening a property or portion thereof from the exterior of other properties.

Fill: Material placed or deposited so as to form an embankment or raise the surface elevation of the land, including but not limited to levees, bulkheads, dikes, jetties, embankments, and causeways.

Financial Institution: Bank, savings and loan association, savings bank, investment company, philanthropic foundation, or the office of an investment manager, investment banker, or securities broker or dealer. For the purpose of this Zoning Ordinance, this term shall exclude pawn shops and non-bank operations that provide check-cashing services and advances on pay checks. The supplemental regulations for a financial institution are specified under Section 23280 of this Zoning Ordinance.

Floodplain: A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

Floodplain Overlay District: A conservation overlay of land and water, which have been defined within the Flood Insurance Study, as prepared by the Federal Emergency Management Agency, which principally include areas located along the major creeks and waterways of East Lampeter Township. The supplemental regulations for the Floodplain Overlay District are specified under Section 21040 of this Zoning Ordinance. The following terms shall specifically apply to the Floodplain Overlay District:

1. **Accessory Use or Structure**: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

2. **Base Flood**: A flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood" or one-percent (1%) annual chance flood).

3. **Base Flood Discharge**: The volume of water resulting from a Base Flood as it passes a given location within a given time, usually expressed in cubic feet per second (cfs).

4. **Base Flood Elevation (BFE)**: The elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE, AH, A1-30 that indicates the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

5. **Basement**: Any area of the building having its floor below ground level on all sides. Also refer to the principal definition of “basement” of this Zoning Ordinance.

6. **Building**: A combination of materials to form a permanent structure having walls and a roof. Included shall be all manufactured homes and trailers to be used for human habitation. Also refer to the principal definition of “building” of this Zoning Ordinance.

7. **Channel**: A natural or artificial watercourse with a definite bed and banks which confine and conduct continuously or periodically flowing water.

8. **Channel Flow**: That water which is flowing within the limits of a defined channel.

9. **Completely Dry Space**: A space which will remain totally dry during flooding; the structure is designed and constructed to prevent the passage of water and water vapor.

10. **Conservation Plan**: A plan including a map(s) and narrative that, at the very least, outlines an erosion and sedimentation control plan for an identified parcel of land.

11. **Development**. Any manmade change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured homes; streets, and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.

12. **Driveway**: A privately owned and constructed access drive, providing vehicular access between a public road or an approved private lane into the lot or parcel having frontage on the road.

13. **Essentially Dry Space**: A space which will remain dry during flooding, except for the passage of some water vapor or minor seepage; the structure is substantially impermeable to the passage of water.

14. **Existing Manufactured Home Park or Subdivision**: A manufactured home park or subdivision within the floodplain for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community. The development of a new manufactured home park or subdivision or the expansion of an existing manufactured home park or subdivision shall not be permitted within East Lampeter Township.

15. **Existing Structure**: Means a structure for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975 for FIRM's effective before that date. "Existing structure" may also be referred to as "existing construction".

16. **Expansion to an Existing Manufactured Home Park or Subdivision**: The preparation of additional sites by the construction of facilities within the floodplain for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads). The development of a new manufactured home park or subdivision or the expansion of an existing manufactured home park or subdivision shall not be permitted within East Lampeter Township

17. **Fill:** Material placed or deposited so as to form an embankment or raise the surface elevation of the land, including but not limited to levees, bulkheads, dikes, jetties, embankments, and causeways.

18. **Flood**: A temporary inundation of normally dry land areas. The definition of "flood" shall also apply to "flooded" and "flooding".

19. **Flood Insurance Rate Map (FIRM)**: The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

20. **Flood Insurance Study (FIS)**: The official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

21. **Flood of Record**: The flood which has reached the highest flood elevation above mean sea level at a particular location.

22. **Floodplain**: A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source. The definition of "floodplain" shall also apply to "floodplain area".

23. **Flood Proofing**: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents. This definition shall also apply to "flood proof" and "flood proofed".

24. **Floodway**: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

25. **Hazardous Material**: Refer to the principal definition of "Hazardous Material" of this Zoning Ordinance.

26. **Highest Adjacent Grade**: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure

27. **Historic Building or Structure**: Any structure that is:

    a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

    b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

    c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or

    d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states without approved programs.

    e. As defined or identified as a "Historic Resource" by the Comprehensive Plan and/or this Zoning Ordinance.

28. **Identified Floodplain Area**: The floodplain area specifically identified in this Zoning Ordinance as being inundated by the one hundred (100) year flood.

29. **Lowest Floor**: The lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood resistant partially enclosed area, used solely for parking of vehicles, building access, and incidental storage, in an area other than a basement area is not considered the lowest floor of a building, provided that such space is not designed and built so that the structure is in violation of the applicable non-elevation design requirements.

30. **Manufactured Home**. A structure within the floodplain, transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when attached to the required utilities. The term excludes park trailers, travel trailers, recreational and other similar vehicles which are placed on a site for more than 180 consecutive days. The terms and specifications for Manufactured Homes in the UCC shall also apply.

31. **Manufactured Home Park**: A parcel (or contiguous parcels) of land within the floodplain divided into two or more manufactured home lots for rent or sale. Also refer to the principal definition of "Mobile Home Park" of this Zoning Ordinance. The development of a new manufactured home park or subdivision or the expansion of an existing manufactured home park or subdivision shall not be permitted within East Lampeter Township.

32. **Maximum Flood Elevation**: The water surface elevations of a flood which would completely fill the floodplain to the boundaries of the Floodplain Overlay District.

33. **Mean Sea Level**: The average height of the sea for all stages of the tide, using the National Geodetic Vertical Datum of 1929, or other source that has been designated by the agency with jurisdiction.

34. **Minor Repair**: The replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exit way requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, oil, waste, vent, or similar piping, electric wiring or mechanical or other work affecting the public health or general safety.

35. **New Construction**: Structures for which the start of construction commenced on or after the effective start date of this floodplain management regulations adopted by East Lampeter Township and includes any subsequent improvements to such structures. Any construction started after the effective date of the first floodplain management ordinance adopted by East Lampeter Township and before the effective start date of the current floodplain management regulations shall be subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.

36. **New Manufactured Home Park or Subdivision**: A manufactured home park or subdivision within the floodplain for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) has been completed on or after December 16, 1980. The development of a new manufactured home park or subdivision or the expansion of an existing manufactured home park or subdivision shall not be permitted within East Lampeter Township.

37. **Obstruction**: Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, bridge, conduit, culvert, building, wire, rock, gravel, refuse, fill , structure, or other matter in, along, across or projecting into any channel, watercourse, or floodplain, which may impede, retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or that is placed where the flow of water might carry the same downstream to cause damage to life or property.

38. **100-Year Flood**: A flood that, on the average, is likely to occur once every one hundred (100) years (i.e. that has a one (1%) percent chance of occurring each year, although the flood may occur in any year).

39. **100-Year Flood Boundary**: The outer boundary of an area of land that is likely to be flooded once every 100 years (i.e. that has a one percent chance of being flooded each year). A study by the Federal Insurance Administration, the United States Army Corps of Engineers, the United States Department of Agriculture's Soil Conservation Service, the United States Geological Survey, the Susquehanna River Basin Commission, or a licensed professional engineer registered by the Commonwealth of Pennsylvania is necessary to define this boundary.

40. **100-Year Flood Elevation**: The water surface elevations of the 100-year flood.

41. **Person**: An individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.

42. **Pesticide**: Any substance or mixture of substances intended for use in preventing, destroying, repelling, sterilizing, or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds, or other forms of plant or animal life.

43. **Petroleum Product**: Oil or petroleum of any kind and in any form, including crude oil and derivatives of crude oil. It may be alone, as a sludge, as oil refuse, or mixed with other wastes.

44. **Post-FIRM Structure**: A structure for which construction or a substantial improvement occurred after December 31, 1974 or on or after the initial Flood Insurance Rate Map (FIRM) for East Lampeter Township, whichever is later, and as such, would be required to be compliant with the regulations of the National Flood Insurance Program.

45. **Pre-FIRM Structure**: A structure for which construction or a substantial improvement occurred on or before December 31, 1974 or before the initial Flood Insurance Rate Map (FIRM) for East Lampeter Township, and as such, would not be required to be compliant with the regulations of the National Flood Insurance Program.

46. **Radioactive Material**: Any natural or artificially produced substance which emits radiation spontaneously.

47. **Recreational Vehicle**. A vehicle which is: (1) built on a chassis; (2) not more than four hundred (400) square feet, measured at the largest horizontal projections; (3) designed to be self-propelled or permanently towable by a light-duty truck; (4) not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

48. **Regulatory Flood Elevation**: The base flood elevation (BFE) or estimated flood height as determined using simplified methods plus a freeboard safety factor of one and one-half (1 ½) feet.

49. **Repetitive Loss**: Flood related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds twenty-five (25) percent of the market value of the structure before the damages occurred.

50. **Soil Survey:** The latest published version of the Lancaster County Soil Survey, as prepared by the United States Department of Agriculture, Natural Resource and Conservation Services.

51. **Solid Waste**: Garbage, sludge, refuse, trash, rubbish, debris, and other discarded materials, including but not limited to solid and liquid waste materials, resulting from industrial, commercial, agricultural, residential, and community activities.

52. **Special Flood Hazard Area (SFHA)**: An area in the floodplain subject to a one (1) percent or greater chance of flooding in any given year. The SFHA is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, A1-A30, AE, A99, or AH.

53. **Special Permit**: A special approval which is required for hospitals, nursing homes, jails, and new manufactured home parks and subdivisions and substantial improvements to such existing parks, when such development is located in all, or a designated portion of a floodplain.

54. **Start of Construction**: Includes substantial improvement and other proposed new development and means the date the Permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit and shall be completed within twelve (12) months after the date of issuance of the permit unless a time extension is granted, in writing, by the Floodplain Administrator. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufacture home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first, alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building

55. **Structure:** A walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home. Also refer to the principal definition of "structure" of this Zoning Ordinance.

56. **Subdivision**: The division or re-division of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development. The lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

57. **Substantial Damage**: - Damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50%) percent or more of the market value of the structure before the damage occurred.

58. **Substantial Improvement**. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which exceeds fifty (50%) percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage or repetitive loss regardless of the actual repair work performed. This term does not, however, include either:

    a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or;

    b. Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined in this ordinance, must comply with all ordinance requirements that do not preclude the structure's continued designation as a historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

59. **Uniform Construction Code (UCC)**. The statewide building code adopted by The Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities whether administered by the municipality, a third party or the Department of Labor of Industry. Applicable to residential and commercial buildings, The Code adopted The

International Residential Code (IRC) and the International Building Code (IBC), by reference, as the construction standard applicable with the Commonwealth of Pennsylvania floodplain construction. For coordination purposes, references to the above are made specifically to various sections of the IRC and the IBC.

60. **Violation**: The failure of a structure or other development to be fully compliant with the floodplain management regulations of East Lampeter Township. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required under 44 CFR Sections 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

Floor Area (Gross Floor Area): The gross floor space of the building or buildings, measured from the exterior faces of exterior walls or from the centerline of wall separating buildings. In particular, the floor area of a building or buildings shall include: basement space; all spaces other than cellar space with structural headroom of seven feet, six inches (7'6") or more; interior balconies and mezzanines; enclosed porches, terraces or other space which are attached to the principal structure on at least one (1) side; attic spaces (with or without a finished floor) providing structural headroom of seven feet, six inches (7'6") or more is available over fifty percent (50%) of such attic space. However, the "floor area" shall not include: cellar space, except that cellar space used for retailing; elevator shafts, stairwells, bulkhead, accessory water tanks or cooling towers; terraces; breezeways; uncovered steps; open space; and/or accessory buildings.

Floor Area, Habitable: The sum of the floor areas of a dwelling unit as measured to the outside surfaces of exterior walls and including all rooms and other spaces (closets, hallways, stairways, foyers) used for habitation, but excluding attic spaces, service and utility rooms, garages, and unheated areas such as enclosed porches.

Floor Area Ratio: The floor area in square feet of all buildings on a lot divided by the gross area of such lot in square feet.

Forestry: The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development. The supplemental regulations for forestry are specified under Section 23290 (Forestry) of this Zoning Ordinance. The following terms shall specifically apply to “forestry”:

1. **Felling**: The act of cutting a standing tree so it falls to the ground.

2. **Landing**: A place or area where logs, pulpwood or firewood are assembled for transportation to processing facilities.

3. **Lop**: To cut tops and slash into smaller pieces to allow the material to settle close to the ground.

4. **Operator**: An individual, partnership, company, firm, association, or corporation, which is engaged in timber harvesting or forestry operations, including the agents, subcontractors and employees thereof.

5. **Pre-Construction Timber Stand**: A forestry practice, such as thinning or pruning, which results in better growth, structure, species composition, or health for the residual stand but which does not yield a net income to the land owner, usually because any trees cut are of poor quality, too small or otherwise of limited marketability or value.

6. **Skidding**: Dragging trees on the ground from the stump to the landing area by any means.

7. **Slash**: Woody debris left in the woods after logging, including logs, chunks, bark, branches, uprooted stumps, broken or uprooted vegetation, or similar items.

8. **Stand**: Any area of the forest vegetation whose site conditions, past history and current species composition are sufficiently uniform to be managed as a unit.

9. **Timber Harvesting, Tree Harvesting, or Logging**: The process of cutting down trees and removing logs from the forest for the primary purpose of sale or commercial processing into wood products.

10. **Top**: The upper portion of a tree that has little or no commercial resale value because of its small size, taper or defect.

Fraternal Lodge: Land and buildings containing social public or private facilities for the exclusive use of the members and their guests. The supplemental regulations for a fraternal lodge are specified under Section 23790 of this Zoning Ordinance.

Frontage: The line of a lot coincident within the street right-of-way line of an abutting street that can be used for vehicular access to the site.

Funeral Home: A building or part thereof used for human funeral services. Such building may contain space and facilities for: a funeral chapel or similar gathering place; embalming and the performance of other services used in preparation of the dead for burial; the performance of autopsies and other surgical procedures; the storage of caskets, urns, and other related supplies; and the storage of funeral vehicles. The supplemental regulations for a funeral home are specified under Section 23300 of this Zoning Ordinance.

Gaming Facility: Any licensed facility or location at which any lawful gambling activity other than or in addition to pari-mutuel wagering may be conducted under Pennsylvania law, including any facility in which gambling devices, including but not limited to slot machines, video poker machines, punch boards, and similar devices are located. The term "lawful gambling activity" shall not include the sale of lottery tickets in compliance with state and federal laws. The supplemental regulations for a gaming facility are contained under Section 23530 of this Zoning Ordinance.

Garage: A building utilized as a principal or accessory use to store vehicles.

1. **Garage, Commercial:** A building where motor vehicles may be stored for short-term, daily, or overnight off-street parking, operated as a commercial or public use. The term "garage, commercial" shall be synonymous with the term "commercial garage". The supplemental regulations for a commercial garage are contained under Section 23310 of this Zoning Ordinance.

2. **Garage, Private:** An accessory building for the storage of one or more motor vehicles, machinery, tools and/or equipment that are considered accessory and incidental to the primary use of the premises. The term "garage, private" shall be synonymous with the term "private garage". No more than one (1) commercial vehicle of not more than PennDOT Class III (Class III – 7,000 to 9,000 pounds) capacity may be stored within a private residential garage, which shall be incidental to the residential use. No business, occupation or service shall be conducted within a private garage, nor shall the space therein be leased to a non-occupant of the premises. The general provisions contained under Sections 22030, 22160 and 22180 of this Zoning Ordinance shall also apply to a private garage.

3. **Garage, Public:** A building where motor vehicles may be stored for short-term, daily, or overnight off-street parking, operated by a municipality or parking authority. The term "garage, public" shall be synonymous with the term "public garage". The supplemental regulations for a public garage are contained under Section 23310 of this Zoning Ordinance

Garage Sale: An occasional and/or temporary use contained on a residential lot, wherein the occupants display and offer personal possessions for sale. The term "garage sale" shall also be synonymous with the terms "moving sale," and "yard sale". The general regulations for a garage sale are contained under Section 22090 of this Zoning Ordinance.

Gardening: The growing of plants for personal use as an accessory use upon a residential site, or the growing of plants for personal use upon assigned plots located away from the residential site.

Golf Course: A public or private course with a minimum of nine (9) holes and a length of more than 2,500 yards. The supplemental regulations for a golf course are contained under Section 23320 of this Zoning Ordinance.

Golf Course, Executive: A type of golf course with less than 2,500 yards of play in nine (9) holes to eighteen (18) holes in regulation. This term shall include "chip-and-putt" and "par three" golf courses. The supplemental regulations for an executive golf course are contained under Section 23320 of this Zoning Ordinance.

Golf Course, Miniature: A type of commercial recreational use based upon golf that requires only a putter and is typically, but not necessarily, lit for night play. The term "golf course, miniature" shall be synonymous with the terms "miniature golf course" and putt-putt golf". The supplemental regulations for a miniature golf course are specified under Section 23620.3 of this Zoning Ordinance.

Golf Driving Range: A recreational use where golfers can practice their swing and approach shots within a defined location on a golf course. A golf driving range shall only be permitted as an accessory use to a golf course in accordance with the provisions specified under Section 23320 of this Zoning Ordinance.

Governing Body: The East Lampeter Township Board of Supervisors, Lancaster County, Pennsylvania.

Grade: A measurement of slope expressed in terms of percentage of vertical versus horizontal distance.

Greenhouse, Commercial: A retail or wholesale business operation devoted to the raising and/or selling of trees, ornamental shrubs, flowers, and houseplants for transplanting, along with the sale of ancillary supplies wherein the preponderance of the growing operation is indoors. The term "greenhouse, commercial" shall be synonymous with the term "commercial greenhouse". The supplemental regulations for a commercial greenhouse are specified under Section 23330 of this Zoning Ordinance.

Greenhouse, Non-Commercial: A structure designed or used for the indoor growing of plants, typically found as an accessory structure to a farm or residential use. No sales may be conducted from the structure, nor may the plants grown in the greenhouse be sold from the residence as a business operation.

Grocery Store: A retail use established primarily for the retail sales of food, but may also include routine household goods, pharmacy, motor vehicle fueling stations, and ready-to-eat foods to the general public, but that is not primarily a restaurant, and that includes a building with a floor area that complies with the provisions of this Zoning Ordinance. The supplemental regulations for a grocery store are contained under Section 23340 of this Zoning Ordinance.

Hazardous Material: Substances that have the potential to damage health or otherwise may pose an immediate threat to human safety. Hazardous materials include, but are not limited to, inorganic mineral acids, sulphur, fluorine, chlorine, nitrogen, chromium, phosphorous, selenium, and arsenic and their common salts; lead, nickel, and mercury and their inorganic salts and metallo-organic derivatives; coal tar acids, such as phenols and cresols, and their salts; petroleum products; and radioactive materials. Also included are floatable materials with the potential to cause physical damage under flood conditions, such as logs, storage tanks, and large containers. Any use involving the refining or processing of hazardous materials, hazardous waste, petroleum products, and/or containing highly flammable or explosive materials, shall not be a permitted use within East Lampeter Township. Also refer to the definitions contained under "Floodplain Overlay District".

Hazardous Waste: Any garbage, refuse, sludge from: a wastewater treatment plant; sludge from a water supply treatment plant or air pollution facility; and other discarded material including solid, liquid, semi-solid, or contained gaseous material resulting from municipal, commercial, industrial, institutional, mining, for agricultural operations, and from community activities; or any combination of the above, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may: cause or significantly contribute to an increase in mortality or an increase in morbidity in either an individual or the total population; or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, exposed of, or otherwise managed. Any use involving the refining or processing of hazardous materials, hazardous waste, petroleum products, and/or containing highly flammable or explosive materials, shall not be a permitted use within East Lampeter Township.

Hazardous Waste Facility: Any structure, group of structures, aboveground or underground storage tanks, or any other area or buildings used for the purpose of permanently housing or temporarily holding hazardous waste for the storage or treatment for any time span other than the normal transportation time through East Lampeter Township. Any use involving the refining or processing of hazardous materials, hazardous waste, petroleum products, and/or containing highly flammable or explosive materials, shall not be a permitted use within East Lampeter Township.

Heavy Equipment: Vehicles and machinery that are not normally associated with domestic use, including but not necessarily limited to excavation equipment, commercial trucks in excess of 10,000 pounds gross vehicle weight, cargo trailers, buses, yachts, farm equipment, mechanized amusement rides, and industrial machinery.

Heavy Equipment Sales, Service and Repair Facility: A use devoted to the sale, service, maintenance and repair of heavy equipment and vehicles for other agricultural, commercial, industrial and institutional uses. The supplemental regulations for a heavy equipment sales, service and repair facility are contained under Section 23350 of this Zoning Ordinance

Height of a Structure: The vertical measurement from the average elevation, as measured at the ground abutting the corners of the structure to the highest point of the structure. The ground level for a new structure shall be the lower of the ground level existing at the time of construction or the ground level existing prior to construction and prior to any earth disturbance at the site. The term "height of a structure" shall only apply to structures that are not relevant to a "building" or a "sign".

Heliport: A defined area to accommodate all phases of operation of rotor-wing aircraft or helicopters, with sufficient space for all required safety controls and maneuvers in accordance with all state and federal requirements, as well as to allow for the provision of service facilities. The supplemental regulations for a heliport are specified under Section 23040 of this Zoning Ordinance.

Historic Resource Overlay District: An overlay district established to provide preservation techniques and development provisions for subdivision, land development, architectural appearance, landscaping, signs and streetscape design, as further specified under Section 21050 of this Zoning Ordinance.

Historic Resource: A building or structure, whereas because of its' local, state or national significance is considered as a historical site or resource. The historical resources shall include those identified or documented by: the National Register of Historical Places; the Pennsylvania Historical and Museum Commission and as identified in the Comprehensive Plan.

Home Improvement and/or Building Supply Store: A retail use established primarily for the display and retail sales of materials for the construction, repair, landscaping, remodeling, maintaining and furnishing of a building or property, including the rental of goods and products used for this general purpose. This use shall include any areas devoted to outdoor storage of such goods and products. The supplemental regulations for a home improvement and/or building supply store are contained under Section 23360 of this Zoning Ordinance.

Home Occupation: An accessory use, which is customarily conducted within a residential use or a structure accessory thereto, which is clearly secondary and incidental to the residential use in which the practitioner resides. The following categories of home occupation are hereby defined:

1. **Minimal Impact Home Occupation**: An accessory business activity that is administered or conducted within a single-family detached dwelling, which is clearly secondary to the residential use and may involve some employee(s), customer, client or patient traffic (whether vehicular or pedestrian), pickup, delivery or removal functions to or from the premises, in excess of those normally associated with a residential use. The following uses that are expressly prohibited as home occupations include but are not limited to: animal hospital or clinic; commercial stables and kennels; funeral home; restaurant; wholesale sales; storage or mail order activities in which goods are distributed from the dwelling or property; the repair, servicing, storage, or rental of motor vehicles; offices of medical practitioners; clinics; hospitals; and machine and welding shops. The supplemental regulations for a "minimal impact home occupation" are contained under Section 23370 of this Zoning Ordinance.

2. **No-Impact Home Occupation**: An accessory business activity that is administered or conducted within a permitted residential dwelling, which is clearly secondary to the residential use and involves no customer, client or patient traffic (whether vehicular or pedestrian), pickup, delivery or removal functions to or from the premises, in excess of those normally associated with a residential use. A "no-impact home occupation" shall be considered synonymous with "No-Impact Home-Based Business", as defined by the Pennsylvania Municipalities Planning Code. The supplemental regulations for a "no-impact home occupation" are contained under Section 23370 of this Zoning Ordinance.

Horse Barn for Transportation: An accessory building used for the boarding of horses, which are used by the landowner or resident of the property as the primary means of transportation. The supplemental regulations for a horse barn for transportation are specified under Section 23380 of this Zoning Ordinance.

Horse Boarding Stable: An accessory building used for the boarding of horses, not used for training, show or riding.

Horticulture: The cultivation of fruits, vegetables, flowers and ornamental plants.

Hospital and/or Medical Center: An institution, licensed in the Commonwealth of Pennsylvania, which renders inpatient and outpatient medical care on a twenty-four (24) hours per day basis, and provides primary health, medical and surgical care services to persons suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions. The supplemental regulations for a hospital and/or medical center are contained under Section 23390 of this Zoning Ordinance

Hotel and/or Motel: A building or group of buildings containing six (6) or more individual rooms as rental units for guests or transients for a limited period of time (consecutive or cumulative) within a calendar year. The building may include common hallways for all rooms on the same floor, and where no provision is made for cooking in any individual room or suite. A "hotel" or "motel" does not include institutional or educational uses and buildings where human beings are housed under legal constraint. The term "hotel" shall be synonymous with "motel". The supplemental regulations for a hotel are contained under Section 23400 of this Zoning Ordinance.

Hydric Soil: A soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part. Hydric soils are identified within the Soil Survey of Lancaster County, as prepared by the United States Department of Agriculture, Natural Resource and Conservation Services.

Impervious Surface: A surface not readily penetrated by water under normal pressure associated with rainfall or other typical conditions associated with the proposed use. Typically includes but is not limited to roads, buildings, sidewalks, access drives, loading areas, parking areas, paved recreation courts, and other surfaces specified by the Stormwater Management Ordinance.

Impoundment Facility or Yard: A designated and secured area for the temporary storage of motor vehicles, which have been transported to the facility for a period of time not to exceed ninety (90) days. An impoundment facility shall not be permitted as a principal use within East Lampeter Township. Police impoundment facilities or yards shall be exempt from the provisions of this Zoning Ordinance.

Improvements: Any type of structure, paved area and/or physical changes to the land, including but not limited to, grading, paving, stormwater management facilities, sidewalks, street signs, traffic control devices, monuments, utilities, water supply facilities and sewage disposal facilities.

Improvement Setback: The minimum distance an improvement must be set back from a street right-of-way and/or property line.

Incinerator: A facility designed to reduce municipal solid waste, fuel, gas, refuse, or other material by combustion. This use may include heat exchange equipment for energy recovery.

Industrial Use: A use or activity that includes, but not limited to, assembling, manufacturing, distributing, processing, storing or warehousing of products and materials, and similar industrial uses.

Ingress: A point of entrance to a property

Institutional Use: A use or activity that includes, but not limited to, schools, educational uses, churches, religious uses, and other similar institutional uses.

Interior Driveway: Any on-site vehicular movement lane(s) that is associated with a use other than a single-family dwelling.

Invasive Plants: The following plants are determined to be invasive plants: garlic mustard, giant hogweed, Japanese stilt grass, common reed (Phragmites), Japanese knotweed, autumn olive shrub, amur, morrow's, standish, Japanese and tartarian honeysuckle, Norway maple (tree), tree-of-heaven, oriental bittersweet, Japanese barberry, European barberry and/or other invasive plants identified or recognized by the Pennsylvania Department of Agriculture.

Joint-Use or Common Driveway: An improved driveway designed and constructed to provide for vehicular movement between a road and up to two (2) properties, each of which contain a single dwelling unit.

Junk: Used materials, discarded materials, or both, including, but not limited to, waste paper, rags, metal, building materials, house furnishings and appliances, machinery, vehicles or parts thereof, all of which are being stored awaiting potential reuse or ultimate disposal.

Kennel: An accessory use to an agricultural operation or farm, which includes buildings or structures thereon, where five (5) or more adult non-farm animals or domesticated pets, which are kept or maintained for boarding, grooming, breeding, training, showing, selling or exchange to other individuals. The supplemental regulations for kennels are specified under Section 23410 of this Zoning Ordinance.

Kitchen Facilities: An enclosed and weatherproofed room consisting of a sink with plumbing facilities, permanent stove/oven and a refrigerator, which complies with all codes adopted by East Lampeter Township.

Laboratory: A building or group of buildings in which are located the facilities for scientific research, investigation, testing and experimentation, but not including the manufacture of products for sale. All such laboratories shall be licensed by the appropriate local, county, state or federal agencies to conduct lawful activities. The supplemental regulations for a laboratory are contained under Section23420 of this Zoning Ordinance.

Land Development: Any of the following activities:

1. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:

   a. a group of two or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure; or

   b. the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

2. A subdivision of land.

3. Development in accordance with the provisions established by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

4. Exclusions: The provisions relating to the exclusion of land development are further specified within the Subdivision and Land Development Ordinance.

Landowner: The legal or beneficial owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition). A lessee under a written lease who has written authorization of the legal owner shall be deemed to be a landowner for the purpose of this Zoning Ordinance.

Landscape Architect: A landscape architect registered by the Commonwealth of Pennsylvania.

Landscape Business Office: An accessory use contained within a nursery, where the business owner or an employee can conduct administrative duties, site design and consultation services, financial transactions and/or similar activities within a building designed to accommodate the landscape business office. The supplemental regulations that apply to a "nursery" are contained under Section 23520 of this Zoning Ordinance

Landscape Screen: A planting composed of non-invasive vegetative material arranged to form both a low-level and a high-level screen between grade and to a height of six (6) feet or greater. This definition can also include the use of an earthen berm when combined with evergreen shrubs and/or trees, provided such berm is covered with non-invasive vegetative materials that stabilize its slopes and form both a low-level and a high-level screen between grade and to a height of six (6) feet or greater.

Laundromats: A commercial use within a building intended for patrons to have clothing or fabrics cleaned and dried in coin-operated machines. The supplemental regulations for a laundromat are contained under Section 23230 of this Zoning Ordinance.

LCCD: Lancaster County Conservation District.

Library: A public or private institutional use contained within a building in which books, periodicals, newspapers, pamphlets, prints, artistic material, records, and tapes, are systematically arranged, stored and maintained for reading, listening, viewing, referencing, purchasing and/or lending. The supplemental regulations for a library are contained under Section 23430 of this Zoning Ordinance.

Lighting: The illumination of an internal or external area with radiant energy that is capable of producing a visual sensation, whereas the electromagnetic spectrum typically extends.

Loading Space: A defined space located within a lot or parcel of land, which has accessibility to a public street, for temporary use of commercial vehicles while loading or unloading merchandise and materials to the principal use and building contained on the lot or parcel of land.

Locally Orientated Businesses: The commercial uses that may be planned and permitted within an ODI Development in accordance with Section 23550 of this Zoning Ordinance.

Lot: A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit in accordance with the provisions established by East Lampeter Township. The following specific types of lots are defined as follows.

1. **Conforming Lot**: A lot that complies with the required lot area, dimensional requirements and other provisions specified by this Zoning Ordinance.

2. **Corner Lot**: A lot situated at and abutting the intersection of two (2) streets having an interior angle of intersection not greater than one hundred thirty five (135) degrees. The front yard and lot width requirements shall apply to each street to which the corner lot has frontage. The other yards shall be designated as side yards.

3. **Flag Lot**: An irregularly shaped lot characterized by an elongated extension from a street to the principal part of the lot. The flag shape of the lot is normally intended to provide for access to an otherwise land locked interior parcel.

4. **Interior Lot**: A lot other than a corner lot, the sides of which do not abut a street.

5. **Reverse Frontage Lots**: Lots that have frontage on two (2) public streets while restricting vehicular access from the public street which would front along the commonly identified rear of the lot. The term "reverse frontage lot" shall be also synonymous with the term "double frontage lot" or "through lot", which are further specified under Section 22280 of this Zoning Ordinance.

Lot Area, Gross: The total area contained within the deeded property lines.

Lot Area, Net: The total area of a lot within the deeded property lines less the area occupied by street rights-of-way and/or utility easements. Unless otherwise specifically stated within this Zoning Ordinance, the net lot area for all proposed lots shall be no smaller than the required minimum lot size for the zoning district on which the lot is located.

Lot Coverage: The percentage of a lot covered by all impervious surfaces.

Lot Depth: The horizontal distance measured between the street right-of-way line and the closest rear property line measured perpendicular along straight street rights-of-way and measured along the radius of a curved street rights-of-way. On corner and reverse frontage lots, the depth shall be measured from the street right-of-way line of the street of address to the directly opposite lot line.

Lot Frontage: That portion of a lot, which fronts on a single street.

Lot Line: A recorded boundary line of a lot. However, any line that abuts a street or other public or quasi-public street right-of-way shall be interpreted as the lot line for the purposes of determining the location of the setbacks required by this Zoning Ordinance.

1. **Front Lot Line**: The lot line that is formed and located within the front yard along the street right-of-way line.

2. **Rear Lot Line**: The lot line that is formed and located at the outermost edge of any rear yard.

3. **Side Lot Line**: The lot line that is formed and located at the outermost edge of any side yard

Lot of Record: A lot or parcel recorded in the Office of the Recorder of Deeds of Lancaster County, Pennsylvania.

Lot Width: The width of a lot measured between the side lot lines at the street right-of-way line and the building setback line.

Manufactured Home Lot: A parcel of land in a manufactured home park, improved with the necessary utility connections and other appurtenances, necessary for the erection thereon of a single manufactured home which is leased by the park owner to the occupants of the manufactured home erected on the lot. The term "manufactured home lot" shall be synonymous with the term "mobile home lot".

Manufactured Home Park: A parcel of land under single ownership, which has been planned and improved for the placement of two or more manufactured homes for non-transient use. The term "manufactured home park" shall be synonymous with the term "mobile home park". The supplemental regulations for a manufactured home park are contained under Section 23440 of this Zoning Ordinance. Also refer to the definitions contained under "Floodplain Overlay District".

Manufacturing: The production of goods from raw materials, by the assembly of constituent parts produced elsewhere, or by a combination of these means, including the final packaging of such goods for sale or shipment. Manufacturing uses shall include all activities included in The North American Industrial Classification System (NAICS) list of "manufacturing" activities, but shall specifically exclude uses that involve biological waste, hazardous waste, infectious waste, medical waste and/or radioactive waste. The supplemental regulations for manufacturing are contained under Section 23450 of this Zoning Ordinance.

Manure: The fecal and urinary excrement of farm animals, which may contain spilled feed, bedding, and/or litter.

Manure Storage Facility: A structure or other improvement built to store manure for future use or disposal which is accessory to an agricultural operation.

Mass Transportation Depot: An area of land with or without structures where the principal use is the boarding and un-boarding of passengers of a public mass transit carrier (other than aircraft) and can include the scheduling and dispatching of such transit carrier. The supplemental regulations for mass transportation depot are contained under Section 23460 of this Zoning Ordinance.

Mature Tree: A deciduous tree with a diameter at breast height (DBH) greater than or equal to six (6) inches or a coniferous tree at least six (6) feet tall.

Mean Sea Level: The average height of the sea for all stages of the tide, using the National Geodetic Vertical Datum of 1929 or the most current documentation accepted by East Lampeter Township and Commonwealth of Pennsylvania..

Mediation: A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

Medical, Dental, Vision Care and Counseling Clinic: A building or group of buildings occupied by medical or licensed practitioners and related services for the purpose of providing health and related services to people on an outpatient basis. The supplemental regulations for a medical, dental, vision care and counseling clinic are contained under Section 23470 of this Zoning Ordinance.

Minerals: Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone or dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas.

Mining: A defined area that has been approved for a quarrying and/or mining operation by the local, state and federal agencies with jurisdiction.

Motor Freight Terminal: A property developed to accommodate the transfer of cargo or freight borne by trucks and other commercial vehicles. This term includes temporary convenience stops and convenience centers designed or intended to accommodate a large number of transient drivers occupying trucks and other commercial vehicles. The supplemental regulations for a motor freight terminal are contained under Section 23480 of this Zoning Ordinance.

Motor Vehicle: A licensed or permitted road vehicle used as a means of transportation in the form of a machine that operates primarily through a motor consuming fuel in order to provide power to rotate the tires. For the purpose of this Zoning Ordinance, the tern "motor vehicle" shall not include air travel, rail service and/or heavy equipment.

MPC: The Pennsylvania Municipalities Planning Code, as amended, revised and/or codified.

Municipal Use: A use owned and maintained by East Lampeter Township for public recreation area, park, swimming pool, golf course, spectator sports, municipal offices, police station, sanitary sewage disposal and treatment facilities; water supply and treatment facilities, utilities, community centers, solid waste disposal areas, recycling centers, composting facilities, road materials and equipment storage and similar governmental or municipal uses. The supplemental regulations for a municipal use are contained under Section 23500 of this Zoning Ordinance.

Municipality: East Lampeter Township, Lancaster County, Pennsylvania.

Museum: A public or private institutional use in the service of society and of its development, open to the public, which acquires, conserves, researches, communicates and exhibits, for purposes of study, education, and enjoyment, the tangible and intangible evidence of people, their history, and environment. The supplemental regulations for a museum are contained under Section 23510 of this Zoning Ordinance.

NAICS: The North American Industrial Classification System, as developed and maintained by the United States Bureau of the Census.

New Construction: Any construction for which the start of construction commenced on or after the effective date of this Zoning Ordinance

Non-Conforming Lot: A lot the area or dimension of which was lawful prior to the adoption or amendment of this Zoning Ordinance, but which fails to conform to the requirements of the district in which it is located by reasons of such adoption or amendment.

Non-Conforming Structure: A structure or part of a structure that does not comply with the applicable extent of use or bulk provisions of the zoning district wherein it is located due to the enactment of this Zoning Ordinance or of an amendment to this Zoning Ordinance. Non-conforming structures include, but are not limited to, non-conforming signs. Also refer to the definitions and provisions for non-conformities, as specified under Section 21030 and Section 21040 of this Zoning Ordinance.

Non-Conforming Use: A use, whether of land or of structure, which does not comply with the applicable use provisions in this Zoning Ordinance or with a specific amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of this Zoning Ordinance or the specific amendment, or prior application of this Zoning Ordinance or the specific amendment to its location by reasons of annexation.

Non-Conformity, Dimensionally: Any aspect of a land use that does not comply with any size, height, bulk, setback, distance, landscaping, coverage, screening, or any other design or performance standard specified by this Zoning Ordinance, where such dimensional nonconformity lawfully existed prior to the adoption of this Zoning Ordinance or amendment thereto, or when such nonconformity is the result of the acquisition of land and/or rights-of-way by a governmental agency.

Noxious Weeds: The following plants are determined to be noxious weeds: canada thistle, bull or spear thistle, musk or nodding thistle, multiflora rose, johnson grass, mile-a-minute, kudzu vine, purple loose strife, marijuana, goatsrue, shattercane, jimsonweed, giant hogweed, and/or other noxious weeds as recognized by the Pennsylvania Department of Agriculture.

Nursery: A commercial operation devoted to the raising and/or selling of trees, ornamental shrubs, flowers, houseplants, and vegetable plants for transplanting wherein the preponderance of the growing operation is out-of-doors. A "nursery" shall not be classified as a "greenhouse, commercial." or a "commercial greenhouse", which is a permitted use in accordance with the provisions specified under Section 23330 of this Zoning Ordinance. The supplemental regulations that apply to a "nursery" are contained under Section 23520 of this Zoning Ordinance.

Off-Street Loading: An accessory use dedicated to provide an area for commercial vehicles or trucks to make deliveries to the permitted principal use located on the property. The off-street loading facilities shall include the access isles loading spaces and exterior portion of the loading docks. The general regulations for off-street loading facilities are contained under Section 22150 of this Zoning Ordinance.

Off-Street Parking: An accessory use dedicated to provide an area for motor vehicles, buses, bicycles, horse and buggies, and other forms of transportation to gain access and park at a permitted principal use located on the property. The off-street parking facilities shall include the access isles and parking spaces. The general regulations for off-street parking facilities are contained under Section 22160 of this Zoning Ordinance

Off-Track Betting Facility: A licensed facility other than a racetrack wherein pari-mutuel wagering, but no other lawful gambling activity, is conducted in accordance with state and federal laws. The supplemental regulations for an off-track betting facility are contained under Section 23530 of this Zoning Ordinance.

Office: A principal use that is conducted within a defined space of a principal building, which is generally occupied by employees, equipment and supplies in order to facilitate the functions of subordinate office categories including: business offices; financial offices; professional offices; executive offices; management offices; municipal offices; governmental offices; and/or other similar types of office uses. The term "administrative office" shall be considered as an accessory or subordinate use to a permitted non-residential use. The supplemental regulations for offices are contained under Section 23540 of this Zoning Ordinance.

Official Map: A legally adopted map that depicts the location of existing and proposed streets, public utilities, public facilities and/or public areas, which may be adopted the by East Lampeter Township in accordance with the provisions of Article 4 of the Pennsylvania Municipalities Planning Code.

Open Space: The unoccupied space, land area, or water body, that is located on the same lot with the principal use or development, which is not occupied by buildings, structures, streets, driveways, stormwater facilities, sidewalks, off-street parking areas, access drives, rights-of-way, easements and/or other areas dedicated for a specific use.

Optional Design Incentive Development: A planned unified residential development option providing unique and innovative approaches for housing and community development in accordance with the recommendations contained within the Comprehensive Plan and the optional design provisions that are contained within the Pennsylvania Municipalities Planning Code. The term "Optional Design Incentive Development" shall be synonymous with the term "ODI Development". The supplemental regulations for an ODI Development are contained under Section 23550 of this Zoning Ordinance.

Ordinance: The East Lampeter Township Zoning Ordinance of 2016, as amended, including the Official Zoning Map and any amendments thereto, which have been enacted by the East Lampeter Township Board of Supervisors.

Orphanage: A building or group of buildings designed for and intended to provide housing facilities for minors, who are in need of direct care in lieu of that available from their parents. The facility may include accessory medical facilities intended to serve the residents of the orphanage but not the general public. The supplemental regulations for an orphanage are contained under Section 23560 of this Zoning Ordinance.

Outdoor Storage: The external storage of materials, products and accessory components of a use, which conforms to the normal functions and procedures conducted on that use in accordance with this Zoning Ordinance.

Outdoor Sales: Sales that are conducted outside of a principal building.

Oversize Parking Space: An off-street parking space designed to accommodate a vehicle with one or more of the following characteristics:

1. A registered gross weight in excess of seventeen thousand one (17,001) pounds;

2. Having a length in excess of eighteen (18) feet;

3. Having a width of more than nine (9); and/or,

4. Showing a windshield weight class slicker with a number above six (6).

PA: The Commonwealth of Pennsylvania.

Parent Tract: When used in determining the permissible number of lots which may be subdivided or dwellings erected in the Agricultural (AG) District (formerly the Rural District), all contiguous land held in single and separate ownership, regardless of whether (a) such land is divided into one or more lots, parcels, purports or tracts; (b) such land was acquired by the landowner at different times or by different deeds, devise, partition or otherwise; or (c) such land is bisected by public or private streets or rights-of-way, which was held by the landowner or his predecessor in title on January 23, 1987, or, if such land was not classified as the Agricultural (AG) Zoning District (formerly the Rural Zoning District) on December 14, 1986, which was held by the landowner or his predecessor in title on the date such land was first classified as Agricultural (AG) Zoning District (formerly the Rural Zoning District) after January 23, 1987.

Park: A tract of land, designed and utilized by the general public for active and/or passive recreation purposes.

Parking Compound: Primary business where passenger vehicles may be stored for short-term, daily, or overnight off-street parking, and connected to a street by an access drive. The supplemental regulations for a parking compound are contained under Section 23310 of this Zoning Ordinance.

Parking Lot: An accessory use or portion of the property utilized for the parking of vehicles, including driveways, access drives, access isles and parking spaces, subject to the requirements specified under Section 22160 of this Zoning Ordinance. Also refer to the definition of "Off-Street Parking".

Parking Perimeter: The external limits of the defined off-street parking area in which parking is allowed or permitted.

Parking Space: A reasonably level space, available for the parking of one (1) motor vehicle, not less than nine (9) feet wide, eighteen (18) feet deep, and having an area of not less than one hundred sixty-two (162) square feet exclusive of passageways or other means of circulation or access.

Patio: An area or courtyard, which is not covered by a roof or permanent awning, and is designed for outdoor living purposes, as an accessory use to the principal structure or building.

Paved Area: The percentage of lot area covered by any and all impervious materials, such as buildings, paved parking areas, paved walks, terraces and similar surfaces, which do not normally absorb rainfall.

Permit: A document issued by the proper regulatory agency with jurisdiction authorizing the landowner and/or applicant to undertake certain activities as specified by the permit application.

Permitted Use: A use that is located on a lot in which the land use, buildings and structures are in compliance with the zoning district provisions as well as all other pertinent regulations specified by this Zoning Ordinance.

Person: The term shall be construed to include an individual, partnership, public or private association or corporation, limited liability company, firm, trust, business trust, estate, foundation, municipality, governmental entity, public utility, other association or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.

Personal Service Facility: A building or portion of a building in which the services of a person permitted to practice a specified profession are offered to the general public. Examples of such professions may include, accountants, agents, architects, barbers, beauticians, electronic repair technicians, engineers, lawyers, photographers, planners, printers; publishers; tailors, tanning salons, therapeutic massage, travel center, or other similar personal service establishments. This term shall not include an "adult use". The supplemental regulations for a personal care establishment are contained under Section 23570 of this Zoning Ordinance.

Pesticide: Any substance or mixture of substances intended to prevent, destroy, repel, sterilize, or otherwise mitigate insects, rodents, nematodes, predatory animals, fungi, weeds, or other forms of plant or animal life.

Petroleum Product: Oil or petroleum of any kind and in any form, including crude oil and derivatives of crude oil.

Physical Therapy: The treatment, rehabilitation, and/or training of persons on an out-patient basis to regain, develop, or enhance their physical skills, condition, or stamina when such have been lost or impaired due to injury or illness.

Place of Worship: A building, structure, or group of buildings or structures, including accessory uses, designed or intended for public worship or religious uses. Typical permitted accessory uses include rectories, convents, counseling facilities, day care facilities, educational uses and other similar subordinate uses to the place of worship. The supplemental regulations for places of worship are contained under Section 23580 of this Zoning Ordinance.

Plan: A proposal for development, subdivision or land development, including all covenants, grants or easements and other conditions relating to use, location and bulk of buildings, density of development, common open space and public facilities, which complies with the provisions established by East Lampeter Township.

Planning Commission: The East Lampeter Township Planning Commission, Lancaster County, Pennsylvania.

Playground: A tract of land, designed and utilized by the general public for active and/or passive recreation purposes.

Pole Building or Pole Barn: An accessory building that is generally utilized for storage that is typically built from treated poles that are anchored into the ground with the metal or aluminum sides attached in accordance with the specifications of the manufacturer. All such accessory buildings are not intended for human habitation.

Porch: A roofed or unroofed structure projecting from the front, side or rear wall of a building.

Premise: Property, including both land and buildings, upon and within which some activity is conducted or of which some use is made.

Preservation or Protection: When used in connection with natural and historic resources, shall include means to conserve and safeguard these resources from wasteful or destructive use, but shall not be interpreted to authorize the unreasonable restriction of forestry, mining or other lawful uses of natural resources.

Prime Agricultural Land: Land used for agricultural purposes that contains soils of the first, second, or third class, as defined by the latest edition of the Lancaster County Soil Survey, as prepared by the United States Department of Agriculture ,Natural Resource and Conservation Services.

Principal Building: A building in which a principal use on a lot is carried on.

Principal Use: The main or primary purpose for which any land, structure or building is designed, arranged or intended, and for which they may be occupied or maintained under the terms of this Zoning Ordinance. Unless otherwise specified by this Zoning Ordinance, only one (1) principal use shall be permitted on a lot.

Principal Uses Permitted in Combination: Two (2) or more principal uses contained on a single lot or parcel of land that complies with the minimum and maximum lot area requirements specified by this Zoning Ordinance. The permitted uses shall only include those principal uses that are allowed within the zoning district on which they are located. The supplemental regulations for principal uses permitted in combination are contained under Section 23590 of this Zoning Ordinance.

Private Road: A legally established road right-of-way, which has not been dedicated to East Lampeter Township.

Professional: An occupation practiced or performed by an individual who has been formally educated or trained for such occupation and who is typically, but not necessarily, licensed or certified in such occupation.

Professional Consultants: Persons who provide expert or professional advice, including, but not limited to, architects, attorneys, biologist, certified public accountants, engineers, environmental scientist, forester, geologists, historian, land surveyors, landscape architects, planners and/or other similar professional consultants.

Public Hearing: A formal meeting held pursuant to public notice by East Lampeter Township the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this Zoning Ordinance and the Pennsylvania Municipalities Planning Code.

Public Meeting: A forum held pursuant to notice under the requirements of this Zoning Ordinance, the Pennsylvania Municipalities Planning Code and the Pennsylvania Sunshine Law.

Public Notice: Notice that is published or advertised in accordance with the provisions specified by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

Public Utility Building and/or Structure: A principal use owned and operated by a public utility provider containing a building and/or structure located on a lot, parcel of land or lease area in accordance with the provisions specified by Section 23610 of this Zoning Ordinance.

Radioactive Material: A substance which spontaneously emits alpha or beta particles or photons (gamma radiation) in the process of decay or transformation of the atom's nucleus.

Recreation Area, Active: Land area containing recreational facilities, which may require visitors or participants to become involved in physical or energetic functions, primarily group functions. Active recreation areas may include, but are not limited to: athletic fields; basketball courts; baseball fields; softball fields; football fields; soccer fields; tennis courts; playgrounds; tot lots; community centers; golf courses; hockey rinks; skateboard parks, swimming pools; and volleyball courts, and other similar active recreation areas.

Recreation Area, Passive: Land area containing recreation facilities, which may require visitors or participants to become involved in quiet functions that do not require physical or energetic functions. Passive recreation areas may include, but are not limited to: open space: trails for walking or bicycling; surface water for canoeing or fishing; land preserve areas for hunting; pavilions; picnic areas; cultural centers; scenic vistas; and amphitheaters.

Recreation Facility: Land, water, buildings, structures, apparatuses and/or equipment, which are required to accommodate recreational uses. Also refer to the terms "Recreation Area, Active" and Recreation Area, Passive".

Recreational Use: An area of land that is specifically improved for recreational facility or use, which may include playing fields for baseball, football, lacrosse, rugby, soccer, or similar activities; outdoor courts for basketball, tennis, volleyball, or similar activities; skating rinks; skateboarding areas; swimming pools; playground areas suitable for children; or any combination of these uses. For the purpose of this Zoning Ordinance, golf courses, executive golf courses and driving ranges shall comply with the provisions specified under Section 23320 of this Zoning Ordinance. "Recreational uses" may also include accessory or subordinate uses such as off-street parking areas, signage, and lighting, but enclosed structures shall be limited to those accommodating uses clearly accessory to the outdoor recreational function, such as concession stands, storage sheds, locker rooms and shower facilities, first-aid stations, and offices and meeting rooms for the administration of the facility. "Recreational uses" are further classified and defined as follows:

1. **Recreation as an Accessory Use**: A recreation use that is permitted exclusively as an accessory use to a permitted principal use with specific limitations in terms of its size and/or utilization with the principal use. The term "recreation as an accessory use" may also be reference as an "accessory recreational use". The supplemental regulations for an accessory recreation use are contained under Section 23620 of this Zoning Ordinance.

2. **Recreation Health Clubs and/or Fitness Centers:** A type of commercial recreation use that provides recreation facilities for health and/or fitness activities within a principal building and/or defined accessory outdoor area.

3. **Recreation as a Commercial Recreational Use**: A recreational use contained within a principal building and/or a defined accessory outdoor area, which is operated by a private entity as a commercial, for-profit business that is open to the general public for a fee. The term "recreation as a commercial use" may also be referenced as "commercial recreation use". The supplemental regulations for commercial recreation uses are contained under Section 23620 of this Zoning Ordinance.

4. **Recreation as a Municipal Recreation Use**: An area that is owned, operated and maintained by East Lampeter Township containing active and/or passive recreation uses and facilities, which are primarily utilized and benefit the landowners and residents within East Lampeter Township. The term "recreation as a municipal recreation use" may also be referenced as "municipal recreation use". The supplemental regulations for private recreation uses are contained under Section 23620 of this Zoning Ordinance.

5. **Recreation as a Private or Restrictive Use**: A privately owned and maintained recreational area that has been established for a residential development or permitted use, whereas, access and use of the recreation area and facilities are limited to the members and their guests. The term "recreation as a private use" may also be referenced as "private recreation use". The supplemental regulations for private recreation uses are contained under Section 23620 of this Zoning Ordinance.

Recreational Vehicle: A vehicle of any size, which is designed as a temporary dwelling or living unit for travel, recreation and vacation uses. Recreation vehicles may include motorized vehicles designed to be self-propelled or non-motorized vehicles designed to be towed or carried by another vehicle including campers, pickup coaches, travel trailer, all-terrain vehicles, motorcycles, dirt bikes, snowmobiles, and similar vehicles. Also refer to the definition of "Recreation Vehicle" contained under "Floodplain".

Rectory: A type of dwelling that is an accessory building and/or use to a place of worship, which is typically occupied by the leader of the congregation.

Regional Impact Development: A type or scale of development that has the potential to have a significant impact on adjacent lands over a given time period and/or through cumulative phases of development, which are further regulated by this Zoning Ordinance. A regional impact development shall be classified as a principal use or combination of principal uses that have the capability to generate five hundred (500) or more vehicle trips during any peak hour of operation as part of an application. The regional impact development may include uses that are permitted within the zoning district on which the regional impact development is located and in accordance with Section 23640 of this Zoning Ordinance.

Repair Facility: A component or department of a principal use designated for the repair of equipment, machinery and/or vehicles, which are utilized as part of the functional operations of the permitted principal use. The supplemental regulations for a repair facility are contained under Section 23650 of this Zoning Ordinance.

Resident Farmer: The individual living on the farm who actually conducts the agricultural operation and any permitted farm support business operation or farm support limited impact business operation. There shall be only one (1) resident farmer on any farm.

Resident Farm Family: The members of the family, related by blood or marriage, residing on a farm and engaged in the agricultural operation which supports that family on that farm whether or not they own the farm. Only one (1) member of the resident farm family shall be considered to be the resident farmer.

Residential Accessory Buildings and Structures: A detached building or structure that is accessory to a residential use, which is customarily incidental to that of the principal residential building, and which is located on the same lot as that occupied by the principal residential building. The supplemental regulations for residential accessory buildings and structures are contained under Section 23660 of this Zoning Ordinance.

Residential Retirement and/or Care Facility: A building or group of buildings used for the lodging, boarding, personal care, nursing care and/or rehabilitation of four (4) or more persons who, because of their mental or physical incapacity, may be unable to provide for their own needs and safety without the assistance of another person. The term "residential care facility" may also include an assisted living care facility, nursing center, nursing home, personal care facility and/or convalescent home, as defined and licensed in accordance with state and federal laws. This term or use shall not apply to a hospital, group home, half-way house and/or incarceration facility. The supplemental regulations for a residential retirement and/or care facility are contained under Section 23670 of this Zoning Ordinance.

Residential Use: A use within a permitted dwelling that is designed and utilized as the living quarters for one (1) or more families living independently of each other. Residential uses may be permitted within single family detached units, single family semi-detached units, manufactured homes, apartment units, multi-family dwelling units and townhouse units, and provided the type of dwelling unit is a permitted use within the zoning district to which it is located, and provided that the dwelling unit is designed to comply with the standards and specifications referenced by this Zoning Ordinance.

Restaurant: A commercial establishment devoted to the purchase of food and beverages for consumption by its patrons or customers. All restaurants that require the handling, preparation, storage, cooking, assemblage, distribution, serving and/or discarding of food and beverages shall comply with all pertinent local, state and federal laws or codes for such activities. The following specific types of restaurants are hereby defined:

1. **Restaurant and/or Cafeteria as an Accessory Use**: A defined portion of an enclosed building occupied by a principal use that is specifically designated as a restaurant or cafeteria in which employees can purchase food and beverages from a pick-up counter, concession stand, vending machine and/or service order. The consumption of the food and beverages may take place within the designated restaurant and/or cafeteria area. The supplemental regulations for a restaurant and/or cafeteria as an accessory use are contained under Section 23680 of this Zoning Ordinance.

2. **Restaurant without a Drive-Through Service Lane**: A principal use contained within an enclosed building in which the customers can purchase food and beverages from a pick-up counter, service order and/or through a delivery service. The consumption of the food and beverage may take place within the designated service area of the restaurant. Drive-through service lanes shall not be permitted as a feature or option for the restaurant. The supplemental regulations for a restaurant without a drive-through service lane are contained under Section 23680 of this Zoning Ordinance.

3. **Restaurant with a Drive-Through Service Lane**: A principal use contained within an enclosed building in which the customers can purchase food and beverages from a pick-up counter, drive-through serve facility, service order and/or through a delivery service. The consumption of the food and beverage may take place within the designated service area of the restaurant. The supplemental regulations for a restaurant with a drive-through service lane are contained under Section 23680 of this Zoning Ordinance.

4. **Restaurant with Bring Your Own Bottle (BYOB) Provisions**: An establishment that serves prepared food, which is not licensed to serve or sell alcoholic beverages in accordance with the laws established by the Commonwealth of Pennsylvania, but where patrons are permitted to bring alcoholic beverages upon the premises for their own use and consumption if the establishment satisfy the criteria established within this Zoning Ordinance and the laws of the Commonwealth of Pennsylvania. The supplemental regulations for a restaurant with BYOB provisions are contained under Section 23680 of this Zoning Ordinance.

Retail Bakery or Confectioner: A retail use that primarily prepares and sells breads, baked goods and other foods generally rich in sugar. The supplemental regulations for a retail bakery or confectioner are contained under Section 23690 of this Zoning Ordinance.

Retail Sales: A commercial establishment devoted to the sale of products and services to patrons within an enclosed building. Retail uses may include establishments selling clothing, crafts, business or office supplies, entertainment items, furniture, home improvement supplies, household products, personal care supplies, building supplies, sporting goods, equipment, machines, computers, electronics, pet supplies, medical supplies, agricultural supplies, firearms, and other similar retail uses. The supplemental regulations for retail sales are contained under Section 23700 of this Zoning Ordinance.

Retail Sales Area: The total area of a structure or lot (including aisles and open display areas) that is devoted to the display of goods and services available for sale to the general public. This term does not include adult uses, as defined by this Zoning Ordinance.

Retail Store: A business contained within a building in which the primary activities involve the display of items of available for retail sales and/or the rental of goods and products. A retail store shall not include adult uses, convenience stores, home improvement, grocery stores, building supply stores and/or shopping center, which are principal uses that are further defined and regulated by this Zoning Ordinance.

Right-of-Way: The width or area of land, which is dedicated or reserved to accommodate streets, utilities, stormwater management facilities, traffic control facilities, curbs, sidewalks, crosswalks, pedestrian paths, bicycle lanes, street lights, street lights and other similar public improvements.

1. **Legal Right-Of-Way**: The existing width or area of land, which is currently owned and maintained by East Lampeter Township, the Commonwealth of Pennsylvania, and/or other public agency or authority.

2. **Required or Ultimate Right-Of-Way**: The width or area of land, which is determined necessary to reserve and/or dedicate area in order to accommodate future public improvements.

Roadside Stands: Any structure or land area used for the sale of agricultural products or horticultural produce produced by the farmer or the farmer's family on their farm. The supplemental regulations for a roadside stand are contained under Section 23710 of this Zoning Ordinance.

Safety Fan: An area on a shooting range facility designed to contain all projectiles fired from a shooting range.

SALDO or SLDO: The East Lampeter Township Subdivision and Land Development Ordinance, or any provisions or amendments thereof, enacted by the East Lampeter Township Board of Supervisors.

Salvage Yard: An area of land, with or without buildings, used for the storage, outside a completely enclosed building, of used and discarded materials, including but not limited to, waste paper, rags, metal, building materials, house furnishings, machinery, vehicles, or parts thereof, with or without the dismantling, processing, salvage, sale, or other use or disposition of the same. The deposit or storage on a lot of one or more unlicensed and un-inspected, wrecked, or disabled vehicles, or the major part thereof, shall be deemed to constitute a "salvage yard." A disabled vehicle is a vehicle intended to be self-propelled that shall not be operable under its own power for any reason, or a vehicle that does not have a valid current registration plate or that has a certificate of inspection which is more than sixty (60) days beyond the expiration date. The supplemental regulations for a salvage yard are contained under Section 23720 of this Zoning Ordinance.

Sanitary Facilities: The required plumbing fixtures within a dwelling unit including a sink, toilet, bathtub or shower, which are functioning and compliant with the provisions of East Lampeter Township.

Sanitary Sewage Disposal System: A system designed to collect, convey, treat and dispose of sewage from users in compliance with local, county, state and federal regulations.

1. **On-Lot Sewage Disposal System**: A sewage disposal system which collects, conveys, treats and disposes of sewage or holds sewage from only one (1) dwelling, principal use or lot where public sewage disposal service is not available. The term: "on-lot sewage disposal system" shall also be synonymous with the terms "on-lot sanitary sewage disposal system" and "on-site sewage disposal system".

2. **Public Sewage Disposal System**: A sewage disposal system which collects, conveys, treats and disposes of sewage from more than one (1) source by a system of pipes to a central treatment and disposal plant. The term "public sewage disposal system" shall also be synonymous with the terms "public sanitary sewage disposal system", "municipal sewage disposal system", and "municipal sanitary sewage disposal system".

Satellite Communications: An accessory facility contained within a permitted use, which is capable of transmit and/or receive communication signals to serve the principal use in accordance with the provisions specified under Section 23730 of this Zoning Ordinance. This use shall not be construed as a "telecommunication and wireless communication facility", which are further regulated under Section 23810 of this Zoning Ordinance.

Satellite Dish Antenna: A device incorporating a reflective surface which is solid, open mesh, or bar-configured and is in the shape of a shallow dish, cone, horn, or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally-based devices.

School: A building or group of building intended to provide or facilitate an educational use including pre-schools, nursery schools, kindergartens, elementary schools, secondary schools, trade schools, vocational schools, colleges and/or universities. The supplemental regulations pertaining to schools are contained under Section 23740 of this Zoning ordinance. The following terms shall be a principal use in which supervised education or instruction is offered according to the following categories.

1. **Commercial School**: A school not operated by a public agency that can offer any of a wide range of curriculums including, but not limited to, all levels of academic, business and technical instruction, including computer operation and repair, and training in artistic, cosmetology, dance, baton-twirling, athletic, including gymnastics, martial arts, musical and other similar activities. Commercial schools are principal uses that are neither home occupations nor day-care operations. These uses shall not include vocational and/or mechanical trade schools as defined in this Ordinance. The term "commercial school" may also be referenced as "school as a commercial use" or as a "commercial school use". The supplemental regulations for a commercial school are contained under Section 23740 of this Zoning Ordinance.

2. **Public or Private School**: A school that offers pre-school, elementary, secondary, post-secondary, and/or post-graduate education, or any combination thereof, that is owned operated and maintained in accordance with state and federal guidelines and laws. The term "public or private school", "public school" or "private school" may also be referenced as "school as a public school" or "school as a private use". The supplemental regulations for a private school are contained under Section 23740 of this Zoning Ordinance.

3. **Vocational, Mechanical or Trade School**: A school that may, or may not, be operated as a gainful business that principally offers training in any of the following occupations: agriculture and horticulture; truck driving; vehicular and engine repairs; building construction and general contracting; woodworking and carpentry; masonry; plumbing; electrical contracting; and other similar trades. The term "vocational, mechanical or trade school" may also be referenced as "school as a vocational, mechanical or trade use". The supplemental regulations for a vocational, mechanical or trade school use are contained under Section 23740 of this Zoning Ordinance.

4. **Other Schools**: Correctional institutions and facilities for adjudicated delinquents shall not be permitted use within East Lampeter Township.

Self-Storage Facility: A building or group of buildings that are divided into individual accessible units, each of which unit is available for rent or lease to the public for the self-storage of tangible personal property. All such storage facilities shall not be used for processing, manufacturing, sales, research and development testing, service and repair, or other non-storage activities. The supplemental regulations for a self-storage facility are contained under Section 23750 of this Zoning Ordinance.

Separation Distance: The minimum horizontal distance as measured in a straight line between identified points.

Setback: The required horizontal distance between a setback line and a property or street right-of-way line.

1. **Setback, Front**: The distance between the street right-of-way line and the front building setback line projected the full width of the lot. Commonly called the "required front yard."

2. **Setback, Rear**: The distance between the rear lot line and the rear setback line projected the full width of the lot. Commonly called "required rear yard."

3. **Setback, Side**: The distance between the side lot line and the side setback line projected from the front yard to the rear yard. Commonly called "required side yard."

Setback Line: A line within a property and parallel to a property or street right-of-way line which delineates the required minimum distance between some particular use of property and that property or street right-of-way or centerline of the street..

Shooting Range: A facility designed and constructed to allow for the safe discharge of firearms and projectile-type weapons (e.g., guns, rifles, shotguns, pistols, air guns, archery cross-bows) by persons for the practice of marksmanship, recreation, competition, skill development, training, or any combination thereof. Shooting ranges may be indoor or outdoor facilities, which shall be subject to local, state and federal regulations. The term "shooting range" shall include "gun club" and "rod and gun club". Nothing within this definition shall be construed to include hunting when conducted in accordance with the rules and regulations of the Commonwealth of Pennsylvania and Section 23760 of this Zoning Ordinance.

Shopping Center: A development consisting of four (4) or more uses, which are permitted in the zoning district where the shopping center is located, each with its own separate customer entrance from the parking lot or street, and which are planned, designed, constructed and managed to function as a unit with shared stormwater management, vehicular access, off-street parking and signage. The spaces occupied by the permitted uses may be owned, leased or rented as individual stores or as part of a unified development. The provisions for shopping centers are contained under Section 23770 of this Zoning Ordinance.

Sign: A structure or device for visual communication that is used to bring the subject to the attention of the public. The term "sign" shall include: lettering, logos, trademarks, and other symbols that are an integral part of the architectural design of a building which are applied to a building or which are located elsewhere on the premises; signs that are affixed to windows or glass doors or are otherwise internally mounted such that they are obviously intended to be seen and understood by vehicular or pedestrian traffic outside the building; flags and insignia of civic, charitable, religious, fraternal, patriotic, and similar organizations; insignias of governments and government agencies; banners, streamers, pennants, spinners, reflectors, ribbons, tinsel, and similar objects; and inflatable objects. The term "sign" shall not include: architectural features that may be identified with a particular business; backlit awnings that include no lettering, logos, or other symbols; signs within a building that are obviously intended to be seen primarily from within the building; outdoor signs intended for use within a property, such as menu signs for a restaurant with drive-through service lanes; signs with regulations within a park; building identification signs within a campus; flags of governments or government agencies; decorative seasonal and holiday banners on residential properties; and displays of merchandise either behind store windows or outdoors. The following terms and definitions shall also apply to signs:

1. **Banner or Flag**: A promotional sign for special community events including, educational, charitable, philanthropic, civic, cultural, municipal, fraternal, religious, or similar community events, whereas the promotional sign shall be considered as a temporary or permanent sign. All such signs shall be made of nylon, canvas, or similar all-weather material and properly maintained by the landowner.

2. **Billboard**: An off-premise sign which directs attention to a product, service, business, or cause.

3. **Building Sign**: A sign attached to or painted on a building that has a use in addition to supporting the sign. This term includes wall signs, overhead signs and roof signs.

4. **Business Sign**: A sign that directs attention to any business, professional, commercial, or industrial activity occurring on the premises on which the sign is located, but not including a home occupation sign.

5. **Center Sign**: A business sign that provides identification at the entrance to a shopping center, hospital or medical center, institutional use, office complex or industrial park.

6. **Contractor Sign**: A temporary sign that displays the name and information about a contractor who is involved in construction work occurring on the premises on which the sign is located.

7. **Development Sign**: An identification sign at the entrance to a permitted residential or non-residential development.

8. **Electronic Display Sign:** A sign designed to project or reflect artificial light from an internal or external source, which may be directly, indirectly illuminated, or through transparent or translucent material. Illuminated signs may include, billboards, freestanding signs, ground signs, or signs affixed to a building or structure.

9. **Flashing Sign**: A type of sign in which the illumination is not kept constant in intensity at all times of use, and which exhibits sudden, timed or marked changes in lighting effects. Unless otherwise permitted by this Zoning Ordinance, flashing signs shall be prohibited. Time and temperature signs may be permitted.

10. **Freestanding Sign**: A sign that is not attached, mounted or painted on any portion of a building, or a sign attached, mounted or painted on a building that has no use in addition to supporting the sign.

11. **Garage Sale** or **Yard Sale Sign**: A temporary sign that directs attention to the sale of personal goods on the premises on which the sign is located.

12. **Government Sign**: An off-premise sign placed by a governmental unit, such as a traffic, directional, informational, street name sign or historical marker.

13. **Home Occupation Sign**: A sign providing information about a business activity conducted within a dwelling unit on the premises on which the sign is located.

14. **Identification Sign**: A sign used to identify the name and display information about the individual, organization, agency, institution, facility, or development located on the premises on which the sign is located, but not including a business sign. (also see "Development Sign" and "Public Use Sign")

15. **Incidental Sign**: An informational sign that carries a message such as “enter,” “open,” “telephone,” “rest rooms,” “no parking,” “no trespassing,” “warning,” a listing of hours when open, an on-site direction, or similar information or direction. Incidental signs may not include any commercial message or logo, except that one “enter” sign per entrance may include a logo or business name, as long as the entrance is exclusively for that business and the logo or business name is subordinate to the word “enter.”

16. **Issue Sign**: A sign that directs attention to a candidate or candidates for public office or to an opinion of a public or private nature, such as, but not limited to, a community, social, religious, political, or ballot issue.

17. **Monument Sign**: A freestanding sign that is primarily composed of stone, brick or masonry materials with the entire base of the sign structure in contact with the ground or supported by a base constructed of permanent materials such as stone or bock, and landscaped to enhance the overall appearance of the area.

18. **Non-Profit Organization Sign**: An off-premise sign displaying information about a place of worship, service club, or other organization that does not operate for the purpose of making a profit.

19. **Off-Premise Sign**: A sign that does not apply to the property on which it is displayed.

20. **On-Premise Sign**: A sign that applies to the property on which it is displayed.

21. **Open House Sign**: A temporary sign that provides information about a real estate open house, including the words "Open House", the day and time of the open house, and the name of the realtor.

22. **Overhead Sign**: A building sign located such that pedestrian or vehicular traffic might pass beneath any part of it.

23. **Permanent Sign**: A sign intended to be displayed for an unlimited period of time.

24. **Public Use Sign**: An identification sign used to identify the name and display information about a public use such as a government building, school, park, firehouse, or place of worship.

25. **Public Utility Sign**: A sign with a message relating to a business organization performing a public service and subject to special governmental regulations (e.g., an electric company, sewer authority, or telephone company).

26. **Pylon Sign**: A freestanding sign principally supported by one (1) or more columns, poles, or braces placed into or under the ground.

27. **Real Estate Sign**: A temporary sign that provides information about a real estate activity on the premises on which the sign is located, such as a sign advertising a sale, rental, or property available for or in the process of development, but not including an open house sign.

28. **Roof Sign**: A sign attached to or painted on a roof.

29. **Sidewalk Sign**: A temporary sign placed on the sidewalk adjacent to the commercial activity it advertises, but not including a contractor sign, a garage sale or yard sale sign, a home occupation sign, an open house sign, a real estate sign, or a special event sign.

30. **Special Event Sign**: A temporary sign that carries information about a special event such as an auction, flea market, festival, carnival, meal, or fund raising event, but not including any business sign, such as a "sale" sign at a store.

31. **Temporary Sign**: A sign that is displayed for no more than ninety (90) days in any calendar year, unless stated otherwise within this Zoning Ordinance.

32. **Window Display**: An exhibit that is placed behind a window that is intended to draw attention to a product, service, business, or cause.

Silo: A tall cylindrical structure that is typically located on a farm for non-residential uses.

Single and Separate Ownership: The ownership of a lot by one or more persons, whereas the ownership is separate and distinct from that of any adjoining land areas.

Single-Family Attached Dwelling as a 2nd Dwelling on a Farm: An attached dwelling that is added to a single-family detached dwelling located on a farm exceeding fifty (50) acres. No more than one (1) attached dwelling shall be permitted, which shall be occupied by a relative of the landowner. The supplemental regulations for a single-family attached dwelling as a 2nd Dwelling are contained under Section 23780 of this Zoning Ordinance.

Slope: Topographic conditions in which the percentage of vertical to horizontal relief is computed utilizing standard rise over run calculations and/or as defined by this Zoning Ordinance.

Social Club: Land and buildings containing administration offices, recreation facilities, restaurants, banquet facilities, social quarters, entertainment uses and similar uses, owned and operated by non-profit organizations for the exclusive use of the members or guests. The supplemental regulations for a social club are contained under Section 23790 of this Zoning Ordinance.

Soil Survey: The latest published version of the Lancaster County Soil Survey, as prepared by the United States Department of Agriculture, Natural Resource and Conservation Services.

Solicitor: The legal consultant or attorney appointed by the East Lampeter Township Board of Supervisors.

Solid Waste: Garbage, refuse, and other discarded materials including but not limited to solid, liquid, semi-solid or contained gaseous waste materials resulting from municipal, industrial, commercial, agricultural, and residential activities. Such wastes shall not include biological waste, hazardous waste and/or radioactive waste as defined and regulated under state and federal laws.

Special Exception: A use that is generally compatible with those otherwise permitted in a particular zoning district but for which additional criteria has been established for review and consideration by the Zoning Hearing Board, as stipulated by this Zoning Ordinance.

Speed Bump: A bump in an access drive or interior driveway that may be circular, parabolic, or sinusoidal, and it may have gaps near the curb to allow drainage.

State: The Commonwealth of Pennsylvania and its designated agencies.

State or County Highway Maintenance Facility: Land and building utilized by a state or county governmental agency for transportation improvements and maintenance projects. The supplemental regulations for a state or county highway maintenance facility are contained under Section 23800 of this Zoning Ordinance.

Steeple: A tall tapering structure narrowing to a point on the top that is located on the roof of or is part of the superstructure of a church or other place of worship.

Stormwater: Drainage runoff from the surface resulting from precipitation in the form of rain, snow, sleet, hail or ice.

Stormwater Management: A program of controls and measures designed to regulate the quantity and quality of stormwater runoff from a defined area or development, while promoting the protection and conservation of surface water, groundwater and groundwater recharge.

Stormwater Management Facilities: Those controls and measures including, by not limited to, berms, terraces, bridges, dams, storm sewers, basins, infiltration systems, swales, watercourses, and floodplains, used to implement a storm water management regulations.

Stormwater Management Ordinance: The East Lampeter Stormwater Management Ordinance, as amended.

Story: That part of a building between the surface of any floor and the next floor above it or, in its absence, the finished ceiling or roof above it. A "split level" story shall be considered a second story if its floor level is six (6) feet or more above the level of the line of the finished floor next below it. Any floor under a sloping roof at the top of a building that is more than two (2) feet below

the top plate shall be counted as a half-story. A basement shall be counted as a story if it averages more than five (5) feet above grade.

Stream: Any natural or man-made channel of conveyance of surface water with an annual or intermittent flow within a defined bed and bank.

Street: A public or private right-of-way intended for use as a means of vehicular and pedestrian circulation that provides a means of access to abutting property, excluding driveways, interior driveways and access drives. The word "street" includes "thoroughfare," "avenue," "boulevard," "court," "drive," "expressway," "highway," "lane," "road," and similar terms.

Street Centerline: A line laterally bisecting a street right-of-way into equal widths. Where the street right-of-way cannot be determined, the cartway centerline shall be deemed the street centerline.

Street Classification: The functional use and occupancy of a street, which is typically assigned a level of service that may include: local service road; local or minor street; collector street; arterial street; and expressway. Unless otherwise specified, the street classification are defined and designated within the Comprehensive Plan or on the Official Map.

Street Frontage: The lot dimension measured along the street line or right-of-way line of any one street or highway abutting a lot.

Street Right-of-Way Line: The line defining the limit of a street right-of-way and separating the street from abutting property or lots. The street line shall be the same as the legal right-of-way line currently in existence.

Structure: Anything constructed or erected on the ground or attached to the ground including, but not limited to buildings, sheds, manufactured homes and other similar items. This term includes any man-made object having an ascertainable stationary location on or in land or water whether or not affixed to land.

1. **Accessory Structure:** A detached or subordinate structure, the use of which is customarily incidental to that of the principal building or use, and which is located on the same lot as that occupied by the principal building or use.

2. **Principal Structure:** A structure associated with a principal use.

3. **Permanent Structure**: A structure to be utilized for a specific purpose for more than one (1) year, provided the structure complies with the provisions established by East Lampeter Township.

4. **Temporary Structure:** A structure to be utilized for a specific purpose for less than one (1) year, provided the structure complies with the provisions established by East Lampeter Township.

5. **Structure**: Refer to the definitions contained under "Airport Overlay District" and "Floodplain Overlay District".

Student Housing Units: A dormitory or residence hall established to occupy students attending a nearby educational use during the time of year when the educational use is in session. All student housing units or dormitories may include defined sleeping and living areas, common sanitary sewage facilities, common bathing facilities, common cooking facilities, and other similar types of uses.

Subdivision: The division or re-division of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development. The lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

Subdivision and Land Development Ordinance (SALDO or SLDO): The East Lampeter Township Subdivision and Land Development Ordinance, or any provisions or amendments thereof, enacted by the Board of Supervisors. The East Lampeter Township Subdivision and Land Development Ordinance may also be referenced as "SALDO" or "SLDO".

Subterranean Buildings: A building covered by land on at least fifty (50) percent of the combined surface of its walls and roof.

Surveyor: An individual registered with the Commonwealth of Pennsylvania, as authorized to measure the boundaries of tracts of land, establish locations, and perform the requirements of a survey.

Swimming Pool: Any structure or inflatable device containing, or normally capable of containing, water to a depth at any point greater than twenty-four (24) inches, as further regulated within Section 22030 of this Zoning Ordinance. Farm ponds, stormwater basins and/or lakes are not included, provided that swimming was not the primary purpose for their construction.

Tavern, Taproom and Night Club: An establishment where alcoholic beverages and/or entertainment are served or provided to the general public as the primary portion of the trade in accordance with local and state laws.

Telecommunication and Wireless Communication: The science or technology of communications by the transmission of impulses as by telegraph, cable, cellular, telephone, radio, television, microwave, earth station broadcast/cable television communications and other similar technology not otherwise enumerated and as may evolve after enactment of this Zoning Ordinance. The supplemental regulations for telecommunication and wireless communication uses are contained under Section 23810 of this Zoning Ordinance.

Telecommunication and Wireless Communication Antenna: Any device used for the transmission or reception of wireless communications signals for ultimate reception by a radio, television, wireless telephone, pager, commercial mobile radio service, or any similar device. This term includes without limitation omnidirectional (or whip) antennas and directional (or panel) antennas owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. This definition shall not include satellite dishes, television antennas, or amateur radio equipment when mounted on a residential property in order to be used by the residents of that property.

Telecommunication and Wireless Communication Equipment Building: An unmanned building or cabinet containing telecommunications equipment required for the operation of communications antennae.

Telecommunication and Wireless Communication Facility: Facilities for the transmission, broadcast or reception of radio, television, shortwave, electromagnetic, cellular, wireless or other wave band signals of a similar nature which are designed or used for the purpose of transmitting, broadcasting or receiving visual, audio, electronic or other information or data. Such facilities do not include, however, receiving facilities which are for the use of individual consumers and not a part of a commercial communications enterprise.

Telecommunication and Wireless Communication Tower: A structure other than a building, such as a monopole tower, designed and used to support telecommunications antennae.

Terrace: A hard-surfaced area of ground that is generally contiguous to a dwelling and utilized for outdoor living.

Theater: A building containing a stage and/or screen and seating available to accommodate customers or patrons to view movies, plays, concerts, meetings, social events and/or similar performances. The supplemental regulations for a theater are contained under Section 23820 of this Zoning Ordinance.

Therapeutic Massage: A legal method of applying pressure on, friction against or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of any part of the body with the hands or with the aid of any mechanical or spa apparatus. A therapeutic message shall not include any activities relating to an adult use.

Therapeutic Spa or Hot Tub: Any structure intended for relaxation, physical therapy, bathing or wading containing over a depth exceeding twenty-four (24) inches, as further regulated within Section 22030 of this Zoning Ordinance.

Tourist Home: A single-family detached dwelling, where the accommodations are rented to a maximum of ten (10) overnight guests on a daily basis for a period of time not exceeding thirty (30) consecutive days. The accommodations within the dwelling may be offered only to registered guests. The supplemental regulations for a tourist home are contained under Section 23110 of this Zoning Ordinance.

Township: East Lampeter Township, Lancaster County, Pennsylvania.

Township Engineer: A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for East Lampeter Township.

Tract: One or more lots assembled for the purposes of subdivision or land development.

Transient: The temporary passing or crossing from one thing or person to another, or from place to place, provided the passing or crossing is temporary and not permanent.

Transition Housing: A housing facility for persons serving time as an alternative to incarceration within a prison, detention facility, correctional facility and/or other similar transitional housing opportunities. Transitional housing shall not be permitted as a principal or accessory use within East Lampeter Township

Transportation Depot: An area of land with or without structures where the principal use is the housing, storing, maintaining, repairing, and/or dispatching of vehicles (other than aircraft) owned or operated by a provider of public transportation as regulated by the Pennsylvania Public Utility Commission (PUC). This term excludes the storage of junked or discarded vehicles. The supplemental regulations for a transportation depot are contained under Section 23840 of this Zoning Ordinance.

Travel Trailer: A portable structure primarily designed to provide temporary living quarters for recreation, camping, or other travel purposes. The following attributes are characteristic of a "travel trailer": the unit is of such size or weight as not to require a special highway movement permit from the Pennsylvania Department of Transportation when self-propelled, or when hauled by a standard motor vehicle on a highway; the unit is mounted or designed to be mounted on wheels; the unit is designed to be loaded onto, or affixed to, the bed and/or chassis of a truck; the unit contains, or was designed to contain, temporary storage of water and sewage, and/or the unit contains some identification by the manufacturer as a travel trailer.

Uniform Construction Code (UCC): The statewide building code adopted by the Pennsylvania General Assembly, which is applicable to new construction in all municipalities whether administered by the municipality, a third party or the Department of Labor of Industry. The UCC incorporates the International Residential Code (IRC), the International Building Code (IBC) and the International Existing Building Code (IEBC). For coordination purposes, references to the above are made specifically to various sections of the IRC, IBC and IEBC.

United States Post Office: A principal use located on a parcel of land containing a building that is owned and operated by the federal government for the purposes of distributing, collecting and shipping mail and packages from a post office designated for a single zip code. A distribution, collection and shipping facility designated to operate as a regional facility covering more than one (1) zip code shall be classified as a "warehouse and distribution center".

Use: The specific purpose for which land, water, signage, structures, or buildings are designed, arranged or intended, to be utilized, occupied or maintained, or any activity, occupation, residence, business or operation, which may be carried on thereon or therein. The term "permitted use" or any equivalent term utilized within this Zoning Ordinance shall not be deemed to include any non-conforming use.

1. **Accessory Use:** A use customarily incidental and subordinate to the principal use or building and located on the same lot such principal use or building.

2. **Principal Use**: The main or primary purpose for which any land, structure or building is designed, arranged or intended, and for which they may be occupied or maintained under the terms of this Zoning Ordinance. Unless otherwise specified by this Zoning Ordinance, only one (1) principal use shall be permitted on a lot.

3. **Permitted Use**: A use located on a lot within a zoning district in which the land use, buildings and structures are in compliance with the provisions of this Zoning Ordinance.

4. **Non-Conforming Use**: A use, whether of land or of structure, which does not comply with the applicable use provisions in this Zoning Ordinance or with a specific amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of this Zoning Ordinance or the specific amendment, or prior application of this Zoning Ordinance or the specific amendment to its location by reasons of annexation. The provisions relating to non-conforming uses are further specified under Article 24 of this Zoning Ordinance.

5. **Permanent Use**: A permitted use conducted on a lot for more than one (1) year, provided the permanent use complies with all provisions of East Lampeter Township.

6. **Seasonal Use**: A permitted use conducted on a lot during certain defined segments of the year, provided the seasonal use complies with all provisions of East Lampeter Township.

7. **Temporary Use**: A permitted use conducted on a lot for less than a one (1) year period of time, provided the temporary use complies with all provisions of East Lampeter Township.

Uses Not Specifically Permitted: Other types of uses that are not specifically defined, identified or recognized within this Zoning Ordinance. All such uses shall be permitted by conditional use within the I-2 Zoning District and subject to the provisions of Section 23850 of this Zoning Ordinance.

Utility: A service, facility, apparatus or use, which provides electric, telephone, cable, sewer, water, natural gas, and similar utility services, to customers within a defined service area, grid, neighborhood region, or municipality.

1. **Community Utility**: A utility, which is owned, operated or maintained by a public utility provider, municipality, municipal authority, homeowners association, or private agency for the purposes of providing sanitary sewage disposal, water supply, energy, telephone, or other utility services within a defined service area. A community utility may be permitted as an accessory use as part of a permitted principal use or development.

2. **Private Utility**: A principal use owned, operated and/or maintained by a private or independent utility company for the purposes of providing energy within a defined service area or grid system in accordance with the provisions established by the Public Utility Commission and the Public Utility Code. Also refer to the definitions contained under "Alternative Energy Facility".

3. **Public Utility**: A utility, which is owned, operated or maintained by a public utility provider for the purposes of providing sanitary sewage disposal, water supply, energy, telephone, or other utility services within a defined service area in accordance with the Public Utility Commission and the Public Utility Code.

Variance. Relief granted by the Zoning Hearing Board from the terms and conditions of this Zoning Ordinance where literal enforcement would create unnecessary hardship and when granting of the relief would not be contrary to the public health, safety or general welfare of the community. The provisions and procedural requirements for a zoning variance are contained under Section 25060 of this Zoning Ordinance.

Vehicle: Any motor vehicle utilized for any lawful use, which is properly licensed and inspected in accordance with all local, state and federal laws.

Veterinary Office: A professional veterinary establishment used for the diagnosis, care, and treatment of ailing or injured animals, which may include overnight accommodations. The overnight boarding of healthy animals shall not be considered as the principal use or function of a veterinary office. The supplemental regulations for a veterinary office are contained under Section 23860 of this Zoning Ordinance.

Warehouse and Distribution Facility: A building or group of buildings primarily utilized for storage, transfer, loading and unloading of products or commodities, but shall not include retail uses or trucking establishment, unless such use is specifically permitted in that district. The supplemental regulations for a warehouse and/or distribution center are contained under Section 23870 of this Zoning Ordinance.

Waste: A material whose original purpose has been completed and which is directed to a disposal or processing facility or is otherwise disposed. The term waste shall also include and apply to waste that may be considered as either hazardous, contaminated, toxic, residual, municipal or recyclable, as further defined by the Commonwealth of Pennsylvania, the United States Environmental Protection Agency, and/or other agency having jurisdiction.

Water Supply System: A system designed to transmit water from the source to users, in compliance with the requirements of the appropriate state agencies and East Lampeter Township.

1. **On-Lot Water Supply System**: A water supply system, which transmits water from a source on the lot to one (1) dwelling, principal use or lot where public water supply service is not available. The term: "on-lot water supply system" shall also be synonymous with the term "on-site sewage disposal system".

2. **Public Water Supply System**: A system of water collection, storage, transmission and delivery, which are to service a community, but not confined to a neighborhood. All such public or municipal water supply systems shall be designed to provide adequate pressure, distribution and storage for fire protection. The term "public water supply system" shall also be synonymous with the term "municipal water supply system".

Water Tower: A structure owned and operated by a company, which is regulated by the Pennsylvania Public Utility Commission, which is utilized to store water.

Watercourse: A perennial or intermittent stream, river, brook, run, channel, swale, pond, lake, or other body of surface water carrying or holding water, whether natural or artificial.

Watershed: The total land area where water drains into a particular watercourse.

Wetlands: Land areas that are inundated or saturated by surface or groundwater with a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions (wetlands generally include swamps, marshes, bogs, and similar areas); or areas that are defined and delineated in accordance with the Federal Manual for Identifying and Delineating Jurisdictional Wetlands or as further defined and delineated by the United States Army Corps of Engineers, the United States Environmental Protection Agency, or the Pennsylvania Department of Environmental Protection

Wholesale and Distribution Facility: A building or group of buildings primarily utilized for the sale and distribution of merchandise in large quantities or transactions of commodities to retailers, contractors, businesses, their agents, and the general public. The supplemental regulations for a wholesale and distribution facility are contained under Section 23880 of this Zoning Ordinance.

Yard: An open space on the same lot with a structure(s), which lies between the structure(s) and a lot line and which is unoccupied and unobstructed from the ground upward except as herein permitted.

1. **Front Yard**: A yard extending the full width of the lot between a structure and the front lot line. On lots abutting more than one public street other than an alley the front yard requirement shall apply fronting each public street.

2. **Rear Yard**: A yard extending the full width of the lot between a structure and a rear lot line.

3. **Side Yard**: A yard extending from the front yard to the rear yard between a structure and the nearest side lot line.

Zoning: The divisions and designation of specified districts within a municipality or region, reserving them for certain uses together with limitations on lot size, heights of structures and other stipulated requirements.

Zoning Hearing Board: The East Lampeter Township Zoning Hearing Board, as established and appointed by the East Lampeter Township Board of Supervisors to hear matters in accordance with this Zoning Ordinance.

Zoning Map: The East Lampeter Township Zoning Map.

Zoning Officer: The agent or official who has been designated and appointed by East Lampeter Township to administer and enforce this Zoning Ordinance.

Zoning Ordinance: The East Lampeter Township Zoning Ordinance of 2016, as amended, including the Official Zoning Map and any amendments thereto, which have been enacted by the East Lampeter Township Board of Supervisors.

Article 3: Agricultural (AG) Zoning District

Section 3010: Purpose

A. To recognize that prime agricultural soils are a limited natural resource and to minimize the development of lands characterized by such soils for non-agricultural activities.

B. To protect agriculture as an economic activity, particularly in areas characterized by prime agricultural soils and active farming operations.

C. To permit, with limited exceptions, agriculture and agricultural support uses.

D. To maintain and implement growth boundary policies, which have been established as part of the Comprehensive Plan.

Section 3020: Permitted Uses

A. Principal uses permitted by right.

1. Agricultural operation, subject to the provisions specified under Section 23030 of this Zoning Ordinance. The agricultural operation shall exclude concentrated animal feeding operations, concentrated animal operations, commercial produce operations and/or cervidae livestock operations.

2. Forestry, subject to the provisions specified under Section 23290 of this Zoning Ordinance.

3. Greenhouse as a commercial use, subject to the provisions of Section 23330 of this Zoning Ordinance.

4. Heavy equipment sales, service and repair facility as a principal use to support agricultural operations, subject to the provisions of Section 23350 of this Zoning Ordinance

5. Nursery as a principal or accessory use, subject to the provisions specified under Section 23520 of this Zoning Ordinance.

6. Places of worship, provided that the lot size for such use shall not exceed five (5) acres, subject to t Section 23580 of this Zoning Ordinance.

7. Recreation use that is classified as a municipal recreation use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

8. Single-family detached dwelling, subject to the provisions specified under Section 3040 of this Zoning Ordinance.

B. Accessory uses permitted by right.

1. Accessory uses and structures that are customarily and clearly accessory to a permitted use are permitted by right, subject to the provisions of this Zoning Ordinance.

2. Alternative energy facilities as an accessory use, which may include geothermal heat pumps, solar energy systems, wind turbines, wind energy facilities or wood-fired boilers, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

3. ECHO housing as an accessory use to a permitted single-family detached dwelling, subject to the provisions specified under Section 23240 of this Zoning Ordinance.

4. Day care facility as an accessory use, subject to Section 23220 of this Zoning Ordinance.

5. Farm-support business use, subject to the provisions specified under Section 23260 of this Zoning Ordinance.

6. Home occupation use as a no-impact accessory residential use, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

7. Horse barn for the keeping of horses for transportation for non-commercial purposes on less than ten (10) acres of land, subject to the provisions specified under Section 23380 of this Zoning Ordinance.

8. Residential accessory uses and structures for a permitted residential use, subject to the provisions specified under Section 22030 and Section 23660 of this Zoning Ordinance.

9. Roadside stand for the sale of agricultural or horticultural products, subject to the provisions specified under Section 23710 of this Zoning Ordinance.

10. Satellite receiving and/or transmitting dish antenna with a maximum diameter of six (6) feet, which may be mounted on the side or rear façade or roof of a building or ground mounted in the side or rear yard, subject to the provisions of Section 23730 of this Zoning Ordinance.

11. Telecommunication or wireless communication facilities located on an existing building or structure, subject to the provisions specified under Section 23810 of this Zoning Ordinance.

12. Veterinary office as an accessory use, subject to Section 23860 of this Zoning Ordinance

C. Uses permitted by special exception, pursuant to the provisions specified under Section 25070 of this Zoning Ordinance.

1. Bed and breakfast establishment, as a principal or accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance.

2. Cemetery, subject to the provisions specified under Section 23160 of this Zoning Ordinance.

   a. The area dedicated to cemetery use shall not exceed five (5) acres.

   b. The cemetery shall have direct vehicular access to either a collector road or an arterial road.

3. Concentrated feeding animal operation (CAFO) or concentrated animal operation (CAO), subject to the provisions specified under Section 23180 of this Zoning Ordinance.

4. Home occupation as a minimal impact accessory use to a single-family detached dwelling, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

5. Kennel as an accessory use to an agricultural operation or farm, subject to the provisions specified under Section 23410 of this Zoning Ordinance.

6. Landscape business office as an accessory use to a nursery, subject to the provisions specified under Section 23520 of this Zoning Ordinance.

7. Municipal use, subject to the provisions specified under Section 23500 of this Zoning Ordinance.

8. Public utility building and/or structures, subject to the provisions specified under Section 23610 of this Zoning Ordinance.

9. Satellite receiving and/or transmitting dish antenna with a maximum diameter of six (6) feet, which may be mounted on front façade of a building or ground mounted in the front yard, subject to the provisions of Section 23730 of this Zoning Ordinance.

10. School that is classified as a public or private school for students in kindergarten through 12th grade, subject to the provisions specified under Section 23740 of this Zoning Ordinance and the following lot area requirements and land use restrictions:

a. Schools designed to accommodate more than fifty (50) students shall be contained on a lot containing a minimum of one (1) acre, which shall have direct vehicular access to a collector road or an arterial road.

b. Schools designed to accommodate fifty (50) or fewer students shall either occupy a lot of two (2) acres or less, or be sited on a larger lot such that the area dedicated to school use is two (2) acres or less.

11. Shooting range, subject to the provisions specified under Section 23760 of this Zoning Ordinance.

12. Single-family attached dwelling as a second dwelling, subject to the provisions specified under Section 23780 of this Zoning Ordinance.

13. Tourist home, as a principal or accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance.

14. Veterinary office, subject to the provisions specified under Section 23860 of this Zoning Ordinance.

D. Uses permitted by conditional use, pursuant to the provisions specified under Section 25080 of this Zoning Ordinance.

1. Alternative energy facilities as an accessory use, which may include manure digesters, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

2. Alternative energy facilities as a principal use, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, subject to the provisions specified under Section 23050.2 of this Zoning Ordinance.

3. Historic resource overlay uses and site improvements, subject to the provisions specified under Section 21050 (Historic Overlay District) of this Zoning Ordinance.

4. Regional impact development containing the permitted uses within the AG Zoning District, subject to the provisions of Section 23640 of this Zoning Ordinance.

Section 3030: Area, Dimensional and Height Requirements

A. Unless otherwise specified, the following lot area requirements shall apply:

1. For all uses where sanitary sewerage is provided by an individual on-lot system, the minimum lot size per dwelling unit or other principal building or use shall be forty thousand (40,000) square feet. The maximum lot size for residential uses shall be two (2) acres. If a larger area is required in order to accommodate an on-lot sewage disposal system in compliance with the regulations of a county or state agency with jurisdiction, a larger lot may be permitted to make such accommodation, provided that the required lot area does not exceed the minimum land area required by the county or state agency with jurisdiction.

2. For all uses where public sanitary sewerage disposal service is accessible at the time that subdivision is proposed, the minimum lot size per principal building or use shall be twenty-two thousand five hundred (22,500) square feet. The maximum lot size for residential uses shall be two (2) acres.

3. For lots where public sanitary sewerage disposal service would require an extension of the existing infrastructure, the requirements of Section 3030.A.1 shall apply. Construction of an extension to the infrastructure shall not entitle the developer to the smaller lot size provided for by Section 3030.A.2.

4. Unless otherwise specified by other provisions contained within Article 23 of this Zoning Ordinance, the minimum lot area for all other principal non-residential uses shall be forty thousand (40,000) square feet.

B. Lot width, building setback and dimensional requirements for a principal use.

1. The minimum lot width requirements shall be as follows:

a. Lots that are served by public sanitary sewage disposal facilities shall have a minimum lot width of sixty (60) feet as measured at the street right-of-way line and one hundred (100) feet, as measured at the front yard setback line.

b. Lots that are not served by public sanitary sewage disposal facilities shall have a minimum lot width of seventy-five (75) feet as measured at the street right-of-way line and one hundred twenty-five (125) feet, as measured at the front yard setback line.

2. The minimum front yard setback requirements shall be as follows:

a. The minimum building setback line shall be twenty-five (25) feet, as measured from the street right-of-way line.

b. For areas within the AG Zoning District where existing buildings are located closer to the street than is permitted by these regulations, a new building may be placed at the same setback distance as the adjacent buildings provided that it is located within two hundred (200) feet of the adjacent buildings. If the adjacent buildings have varying setbacks, the proposed building shall not be located closer to the street than the average setback distance of the said adjacent buildings or ten (10) feet behind the street right-of-way, whichever is greater.

3. The minimum side yard setback shall be twenty (20) feet.

4. The minimum rear yard setback shall be fifty (50) feet.

5. The maximum building and lot coverage requirements shall apply:

a. No more than twenty (20) percent of a lot shall be covered by buildings, except for residential lots larger than two (2) acres that are permitted pursuant to Section 3030.A.1, where the limit shall be 17,424 square feet.

b. No more than thirty (30) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving, except for residential lots larger than two (2) acres that are permitted pursuant to Section 3030.A.1, where the limit shall be 34,848 square feet.

C. Setback and dimensional requirements for an accessory use.

1. The following regulations shall apply to unattached buildings for accessory uses that are one hundred and twenty (120) square feet or less of gross floor area:

a. The minimum front yard setback line from all streets shall be fifteen (15) feet to the rear of the front façade of the principal building.

b. The minimum side yard setback shall be ten (10) feet.

c. The minimum rear yard setback shall be four (4) feet.

2. The following regulations shall apply to unattached buildings for accessory uses that exceed one hundred and twenty (120) square feet of gross floor area:

a. The minimum front yard setback line from all streets shall be fifteen (15) feet to the rear of the front façade of the principal building.

b. The minimum side yard setback shall be twenty (20) feet..

c. The minimum rear yard setback shall be six (6) feet.

D. The maximum height provisions shall apply to principal buildings or structures:

1. Unless otherwise permitted, the maximum height of a principal use shall be thirty-five (35) feet.

2. Taller buildings or structures are permitted, provided that an additional setback of two (2) feet is provided for every one (1) foot of height in excess of thirty-five (35) feet up to a maximum height of fifty (50) feet.

3. Principal buildings and structures for the exclusive use of agricultural operations and not for human occupancy shall not exceed sixty (60) feet in height.

E. The maximum height provisions shall apply to accessory buildings or structures:

1. The maximum height shall be twelve (12) feet for an accessory building that is one hundred and twenty (120) square feet or less of gross floor area.

2. The maximum height shall be twenty-five (25) feet for an accessory building that exceeds one hundred and twenty (120) square feet of gross floor area.

3. The maximum height shall be sixty (60) feet for an accessory agricultural building or structure including a silo.

Section 3040: Limitations on Subdivision and Land Development

A. It is the intent of the Board of Supervisors to implement the mandate of Section 604(3) of the Pennsylvania Municipalities Planning Code (MPC) to preserve prime agricultural land through the enactment of these regulations. Therefore, the Agricultural (AG) Zoning District limits the subdivision of lots from farms and the development of principal uses and structures on existing farms as follows:

1. Parcels of land containing less than ten (10) acres may consider the subdivision options contained within Section 3030 of this Zoning Ordinance. All principal and accessory uses as well as other development criteria shall comply with this Zoning Ordinance.

2. Parcels of land containing ten (10) to twenty-five (25) acres shall not be further subdivided. All principal and accessory uses as well as other development criteria shall comply with this Zoning Ordinance.

3. Parcels of land over twenty-five acres may consider the subdivision options contained within Section 3040 of this Zoning Ordinance. All principal and accessory uses as well as other development criteria shall comply with this Zoning Ordinance.

4. The AG Zoning District limits the development of agricultural tracts, regardless of whether such development is accomplished by subdivision of land development as those terms are defined by the MPC. Further, the AG Zoning District also imposes maximum lot size requirements for uses other than agriculture in order to provide for the retention of tract of sufficient size to be used for agricultural purposes.

B. Section 3040.C of this Zoning Ordinance shall be used to determine the permissible number of lots that may be subdivided (including but not limited to farms) as well as the number of new principal uses that may be established within the AG Zoning District. The “lot area” calculation shall be based upon all contiguous land within the AG Zoning District (formerly the Rural Zoning District) held in single and separate ownership, which was held by the landowner or his/her predecessor(s) in title on January 23, 1987. If such land was not classified within the Agricultural Zoning District (formerly the Rural Zoning District) on January 23, 1987, then the “lot area” calculation shall be based upon the contiguous land held in single and separate ownership on the date such land was first rezoned to the AG Zoning District (formerly the Rural Zoning District). For the purposes of this Section of the Zoning Ordinance, land held in single and separate ownership shall be considered to be contiguous regardless of whether:

1. Such land is divided into one (1) or more lots, parcels, purports, or tracts;

2. Such land was acquired by the landowner at different times or by different deeds or other means; or

3. Such land is divided by public or private streets or rights-of-way.

C. For each twenty-five (25) acres of contiguous land under single ownership as of January 23, 1987 (referred to henceforth as the "parent tract"), there may be one (1) dwelling unit constructed upon such parent tract, or one (1) lot may be subdivided from the said tract, provided that the new lot and the subsequent configuration of the parent tract shall both comply with all of the area and bulk regulations of this Zoning Ordinance, as well as with all applicable regulations of the Subdivision and Land Development Ordinance in effect.

D. The provisions of Article 3 of this Zoning Ordinance shall apply to all parcels of land legally existing on the enactment date of this Zoning Ordinance. Regardless of size, no lot subsequently subdivided from its parent tract shall be permitted to accommodate a new dwelling, except as provided for by Section 3040.C of this Zoning Ordinance. Similarly, subsequent owner(s) of any parcel of land legally existing on the effective date of this Ordinance shall be bound by the acts of previous owners in that such subsequent owner may only subdivide, for purposes of additional single-family dwellings, the number of lots, if any, remaining from the original number permitted by Section 3040.C of this Zoning Ordinance. In the event that a tract of land that was not classified as part of the AG Zoning District as of the enactment date of this Zoning Ordinance and was thereafter so classified, the size and ownership of such tract of land shall be determined as of the effective date of the change in the zoning classification.

E. Any single-family detached dwelling located in the AG Zoning District, which was in existence on January 23, 1987 or which was in existence on the effective date of any zoning amendment which thereafter changed the zoning classification of the land on which the single-family detached dwelling is located to the AG Zoning District shall not be included in determining the number of single-family detached dwellings permitted in accordance with the provisions of Section 3040 of this Zoning Ordinance.

F. Any subdivision of land development plan hereafter filed shall specify which lot or lots shall carry a right of further subdivision or development, as specified under Section 3040.C of this Zoning Ordinance. Such information shall also be included in the deed for any new lots. If this information is not included on a subdivision or land development plan, it shall be presumed that the parent tract shall carry the right of further subdivision or land development under Section 3040.C of this Zoning Ordinance.

G. Notwithstanding the foregoing limitations on the maximum number of lots permitted to be subdivided contained under Section 3040 of this Zoning Ordinance, if a lot is subdivided and transferred to East Lampeter Township, a municipal authority incorporated by East Lampeter Township, or the Commonwealth of Pennsylvania for the purpose of widening a right-of-way (such as for an intersection or road improvement), placement of a sewage pumping station, or similar use, the subdivision of such lot shall not be counted against the maximum number of lots permitted to be subdivided from the tract. The property owner shall be entitled to subdivide the number of lots based upon the number of acres contained in the tract prior to the transfer of the lot to such agency.

H. No subdivision or lot add-on shall be permitted that increases the lot size of a lot used for residential purposes in excess of the maximum permitted lot size. Any lot with a lot area of two (2) or fewer acres shall be presumed to be used for residential purposes. The lot area of such lot shall not be increased to more than two (2) acres.

I. When a lot add-on transfers land from one farm to another farm, any unused quota of single-family detached dwellings as determined by the provisions specified under Section 3040 of this Zoning Ordinance shall remain with the parent tract. A lot add-on shall not be considered as a residential subdivision or towards a permitted lot allocation when the parcels of land involve existing farms that are over ten (10) acres in lot size.

J. The number of lots that may be created, or the number of single-family dwellings or other principal non-agricultural buildings that may be erected, shall be fixed according to the size of the parent tract. This number shall not be increased by the subdivision of such parent tract. Any subsequent owner of a parent tract, land remaining in the parent tract after subdivision, or land that was formerly part of a parent tract, shall be bound by the actions of his predecessor.

Article 4: Reserved

Article 5: Low Density Residential (R-1) Zoning District

Section 5010: Purpose

A. To accommodate residential uses at a density that provides for the efficient use of land in areas that may not have access to public sanitary sewerage disposal facilities and to public water supply facilities, but where expansion of such facilities and services may be planned.

B. To create, establish, and preserve pleasant residential neighborhoods characterized by single-family detached dwellings.

C. To maintain and implement growth boundary policies, which have been established as part of the Comprehensive Plan.

Section 5020: Permitted Uses

A. Principal uses permitted by right.

1. Agricultural operation, subject to the provisions specified under Section 23030 of this Zoning Ordinance. The agricultural operation shall exclude concentrated animal feeding operations, concentrated animal operations, commercial produce operations and/or cervidae livestock operations.

2. Bed and breakfast establishment, as a principal or accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance.

3. Forestry, subject to the provisions specified under Section 23290 of this Zoning Ordinance.

4. Places of worship, provided that the lot size for such use shall not exceed five (5) acres, subject to the provisions specified under Section 23580 of this Zoning Ordinance.

5. Recreation use that is classified as a municipal use, including municipal parks, playgrounds, picnic areas, and/or similar recreation facilities, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

6. Recreation use that is classified as a private and/or restricted use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

7. Single-family detached dwellings, which are not initially or cumulatively developed as a regional impact development.

8. Tourist home, as a principal or accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance.

B. Accessory uses permitted by right.

1. Accessory uses and structures that are customarily and clearly accessory to a permitted use are permitted by right, subject to the provisions of this Zoning Ordinance.

2. Alternative energy facilities as an accessory use, which may include geothermal heat pumps, solar energy systems, wind turbines, wind energy facilities or wood-fired boilers, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

3. Apartment as an accessory use to a permitted single-family detached dwelling, subject to the provisions specified under Section 23070 of this Zoning Ordinance.

4. ECHO housing as an accessory use to a permitted single-family detached dwelling, subject to the provisions specified under Section 23240 of this Zoning Ordinance.

5. Home occupation use as a no-impact accessory residential use, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

6. Horse barn for the keeping of horses for transportation for non-commercial purposes on less than ten (10) acres of land, subject to the provisions specified under Section 23380 of this Zoning Ordinance.

7. Residential accessory uses and structures for a permitted residential use, subject to the provisions specified under Sections 22030 and Section 23660 of this Zoning Ordinance.

8. Satellite receiving and/or transmitting dish antenna with a maximum diameter of three (3) feet, which may be mounted on the side or rear façade or roof of a building or ground mounted in the side or rear yard, subject to the provisions of Section 23730 of this Zoning Ordinance.

C. Uses permitted by special exception, pursuant to the provisions specified under Section 25070 of this Zoning Ordinance.

1. Cemetery, subject to the provisions specified under Section 23160 of this Zoning Ordinance.

2. Farm-support business use as a business operation, subject to the provisions specified under Section 23260 of this Zoning Ordinance.

3. Golf Course, subject to the provisions of 23320 of this Zoning Ordinance.

4. Home occupation as a minimal impact accessory use to a single-family detached dwelling, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

5. Municipal use, subject to the provisions specified under Section 23500 of this Zoning Ordinance.

6. Public utility building and/or structures, subject to the provisions specified under Section 23610 of this Zoning Ordinance.

7. Roadside stand for the sale of agricultural or horticultural products, subject to the provisions specified under Section 23710 of this Zoning Ordinance.

8. Satellite receiving and/or transmitting dish antenna with a maximum diameter of three (3) feet, which may be mounted on front façade of a building or ground mounted in the front yard, subject to the provisions of Section 23730 of this Zoning Ordinance.

9. School that is classified as a public or private school, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

10. School that is classified as a public or private school for students in kindergarten through 12th grade, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

D. Uses permitted by conditional use, pursuant to the provisions specified under Section 25080 of this Zoning Ordinance.

1. Historic resource overlay uses and site improvements, subject to the provisions specified under Section 21050 of this Zoning Ordinance.

2. Regional impact development containing the permitted uses within the R-1 Zoning District, subject to the provisions specified under Section 23640 of this Zoning Ordinance.

Section 5030: Area, Dimensional and Height Requirements

A. Unless otherwise specified, the following lot area requirements shall apply:

1. For all uses where sanitary sewerage service is provided by a public sanitary sewer system at the time that subdivision is proposed, the minimum lot size per principal building or use shall be twenty-two thousand five hundred (22,500) square feet.

2. The maximum lot size for residential uses shall be one (1) acre. The following exception may apply:

   (a) If the residential lot is along an existing public road, the maximum lot size shall be two (2) acres.

   (b) If a larger area is required in order to accommodate an on-lot sewage disposal system in compliance with the regulations of a county or state agency with jurisdiction, a larger lot may be permitted to make such accommodation, provided that the required lot area does not exceed the minimum land area required by the county or state agency with jurisdiction.

3. Unless otherwise specified by other provisions contained within Article 23 of this Zoning Ordinance, the minimum lot area for all other principal non-residential uses shall be forty thousand (40,000) square feet.

B. Lot width, building setback and dimensional requirements for a principal use.

1. The minimum lot width requirements shall be as follows:

   a. Lots that are served by a public sanitary sewer system shall have a minimum lot width of sixty (60) feet as measured at the street right-of-way line and one hundred (100) feet, as measured at the front yard setback line.

   b. Lots that are not served by public sanitary sewer system shall have a minimum lot width of seventy-five (75) feet as measured at the street right-of-way line and one hundred twenty-five (125) feet, as measured at the front yard setback line.

2. The minimum front yard setback requirements shall be as follows:

   a. The minimum building setback line shall be twenty-five (25) feet, as measured from the street right-of-way line.

   b. For areas within the R-1 Zoning District where existing buildings are located closer to the street than is permitted by these regulations, a new building may be placed at the same setback distance as the adjacent buildings provided that it is located within two hundred (200) feet of the adjacent buildings. If the adjacent buildings have varying setbacks, the proposed building shall not be located closer to the street than the average setback distance of the said adjacent buildings or ten (10) feet behind the street right-of-way, whichever is greater.

3. The minimum side yard setback shall be fifteen (15) feet.

4. The minimum rear yard setback shall be fifty (50) feet.

5. The maximum building and lot coverage requirements shall apply:

   a. No more than twenty-five (25) percent of the lot shall be covered by buildings.

   b. No more than forty (40) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving, except for residential lots larger than two (2) acres that are permitted pursuant to Section 5030.A.1, where the limit shall be 34,848 square feet.

C. Setback and dimensional requirements for an accessory use.

1. The following regulations shall apply to unattached buildings for accessory uses that are one hundred and twenty (120) square feet or less of gross floor area:

   a. The minimum front yard setback line from all streets shall be fifteen (15) feet to the rear of the front façade of the principal building.

   b. The minimum side yard setback shall be four (4) feet.

   c. The minimum rear yard setback shall be four (4) feet.

2. The following regulations shall apply to unattached buildings for accessory uses that exceed one hundred and twenty (120) square feet of gross floor area:

   a. The minimum front yard setback line from all streets shall be fifteen (15) feet to the rear of the front façade of the principal building.

   b. The minimum side yard setback shall be fifteen (15) feet.

   c. The minimum rear yard setback shall be six (6) feet.

D. The maximum height provisions shall apply to principal buildings or structures:

   1. Unless otherwise permitted, the maximum height of a principal use shall be thirty-five (35) feet.

   2. Taller buildings or structures are permitted, provided that an additional setback of two (2) feet is provided for every one (1) foot of height in excess of thirty-five (35) feet up to a maximum height of fifty (50) feet.

   3. Principal buildings and structures for the exclusive use of agricultural operations and not for human occupancy shall not exceed sixty (60) feet in height.

E. The maximum height provisions shall apply to accessory buildings or structures:

   1. The maximum height shall be twelve (12) feet for accessory buildings that is one hundred and twenty (120) square feet or less of gross floor area.

   2. The maximum height shall be twenty-five (25) feet for an accessory building that exceeds one hundred and twenty (120) square feet of gross floor area.

   3. The maximum height shall be sixty (60) feet for an accessory agricultural building or structure including a silo.

Article 6: Medium Density Residential (R-2) Zoning District

Section 6010: Purpose

A. To accommodate residential uses at a density that provides for the efficient use of land in areas that have access public sanitary sewerage disposal facilities and to public water supply facilities.

B. To create, establish, and preserve pleasant residential neighborhoods characterized by a variety of dwelling types.

C. To maintain and implement growth boundary policies, which have been established as part of the Comprehensive Plan.

Section 6020: Permitted Uses

A. Principal uses permitted by right.

1. Agricultural operation, subject to the provisions specified under Section 23030 of this Zoning Ordinance. The agricultural operation shall exclude concentrated animal feeding operations, concentrated animal operations, commercial produce operations and/or cervidae livestock operations.

2. Forestry, subject to the provisions specified under Section 23290 of this Zoning Ordinance.

3. Places of worship, subject to the provisions specified under Section 23580 of this Zoning Ordinance.

4. Recreation use that is classified as a private and/or restricted use, subject to the provisions specified under Section 23620 of this Zoning.

5. School that is classified as a public or private school for students in kindergarten through 12th grade, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

6. Single-family detached dwellings, which are not initially or cumulatively developed as a regional impact development.

7. Single-family semi-detached dwellings, which are not initially or cumulatively developed as a regional impact development.

8. Townhouses, which are not initially or cumulatively developed as a regional impact development, subject to the provisions specified under Section 23830 of this Zoning Ordinance.

B. Accessory uses permitted by right.

1. Accessory uses and structures that are customarily and clearly accessory to a permitted use are permitted by right, subject to the provisions of this Zoning Ordinance.

2. Alternative energy facilities as an accessory use, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, subject to the provisions specified under Section 23050 of this Zoning Ordinance.

3. Apartment as an accessory residential use to a single-family dwelling, subject to the provisions specified under Section 23070 of this Zoning Ordinance.

4. ECHO housing as an accessory use to a permitted single-family detached dwelling, subject to the provisions specified under Section 23240 of this Zoning Ordinance.

5. Home occupation use as a no-impact accessory residential use, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

6. Horse barn for the keeping of horses for transportation for non-commercial purposes on less than ten (10) acres of land, subject to the provisions specified under Section 23380 of this Zoning Ordinance.

7. Residential accessory uses and structures for a permitted residential use, subject to the provisions specified under Sections 22030 and 23660 of this Zoning Ordinance.

8. Satellite receiving and/or transmitting dish antenna with a maximum diameter of three (3) feet, which may be mounted on the side or rear façade or roof of a building or ground mounted in the side or rear yard, subject to the provisions of Section 23730 of this Zoning Ordinance.

C. Uses permitted by special exception, pursuant to the provisions specified under Section 25070 of this Zoning Ordinance.

1. Bed and breakfast establishment, as a principal or accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance.

2. Cemetery, subject to the provisions specified under Section 23160 of this Zoning Ordinance.

3. Emergency service facility, subject to the provisions specified under Section 23250 of this Zoning Ordinance.

4. Farm-support business use, subject to the provisions specified under Section 23260.of this Zoning Ordinance.

5. Golf course, subject to the provisions specified Section 23320 of this Zoning Ordinance.

6. Home occupation as a minimal impact accessory use to a single-family detached dwelling, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

7. Library, subject to the provisions specified under Section 23430 of this Zoning Ordinance.

8. Municipal use, subject to the provisions specified under of Section 23500 of this Zoning Ordinance.

9. Orphanage, subject to the provisions specified under of Section 23560 of this Zoning Ordinance.

10. Public utility building and/or structures, subject to the provisions specified under Section 23610 of this Zoning Ordinance.

11. Residential retirement and/or care facility for the care of the aged or infirm, subject to the provisions specified under Section 23670 of this Zoning Ordinance.

12. Roadside stand for the sale of agricultural or horticultural products, subject to the provisions specified under Section 23710 of this Zoning Ordinance.

13. Satellite receiving and/or transmitting dish antenna with a maximum diameter of three (3) feet, which may be mounted on front façade of a building or ground mounted in the front yard, subject to the provisions of Section 23730 of this Zoning Ordinance.

14. Tourist home, as a principal or accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance.

D. Uses permitted by conditional use, pursuant to the provisions specified under Section 25080 of this Zoning Ordinance.

1. Historic resource overlay uses and site improvements, subject to the provisions specified under Section 21050 of this Zoning Ordinance.

2. Optional design incentive development, subject to the provisions specified under Section 23550 of this Zoning Ordinance.

3. Regional impact development containing the permitted uses within the R-2 Zoning District, subject to the provisions specified under Section 23640 of this Zoning Ordinance.

Section 6030: Area, Dimensional and Height Requirements

A. Unless otherwise specified, the following lot area requirements shall apply:

1. The minimum lot size for a single-family detached dwelling shall be 7,500 square feet.

2. The minimum lot size for a single-family semi-detached dwelling shall be 6,000 square feet per unit.

3. The minimum lot size for a townhouse dwelling shall be 4,500 square feet per unit.

4. The maximum lot size for a single-family dwelling shall be 12,000 square feet.

5. Unless otherwise specified by other provisions contained within Article 23 (Supplemental Regulations) of this Zoning Ordinance, the minimum lot area for all other principal non-residential uses shall be one (1) acre.

6. All uses within the R-2 Zoning District shall be served by public sanitary sewage disposal facilities and by public water supply facilities.

B. Lot width, building setback and dimensional requirements for a principal use.

1. The minimum lot width requirements shall be as follows:

a. A lot containing a single-family detached dwelling shall have a minimum lot width of fifty (50) feet as measured at the street right-of-way line and seventy-five (75) feet as measured at the front yard setback line.

b. A lot containing a single-family semi-detached dwelling shall have a minimum lot width of forty (40) feet as measured at the street right-of-way line and fifty-five (55) feet as measured at the front yard setback line.

c. A lot containing a townhouse shall have a minimum lot width of twenty-five (25) feet as measured at the street right-of-way line and twenty-five (25) as measured at the front yard setback line.

2. The minimum front yard setback requirements shall be as follows:

a. The minimum building setback line shall be twenty-five (25) feet, as measured from the street right-of-way line.

b. For areas within the R-2 Zoning District where existing buildings are located closer to the street than is permitted by these regulations, a new building may be placed at the same setback distance as the adjacent buildings provided that it is located within two hundred (200) feet of the adjacent buildings. If the adjacent buildings have varying setbacks, the proposed building shall not be located closer to the street than the average setback distance of the said adjacent buildings or ten (10) feet behind the street right-of-way, whichever is greater.

3. The minimum side yard setback requirements shall be as follows:

a. A lot containing a single-family detached dwelling shall have a side yard setback of ten (10) feet.

b. A lot containing a single-family semi-detached dwelling shall have a side yard setback of twelve (12) feet, as measured from the exterior side.

c. Townhouses with four (4) or fewer dwelling units shall have a side yard setback of fourteen (14) feet as measured from the end units.

d. Townhouses with more than four (4) dwelling units shall have a side yard setback of fifty (50) feet as measured from the end units.

4. The minimum rear yard setback for all residential uses shall be thirty-five (35) feet.

5. Townhouse units shall comply with the building design and internal separation distance requirements specified under Section 23830 of this Zoning Ordinance.

6. The maximum building and lot coverage requirements shall apply:

   a. No more than thirty (30) percent of the lot shall be covered by buildings.

   b. No more than fifty (50) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving.

C. Setback and dimensional requirements for an accessory use.

1. The following regulations shall apply to unattached buildings for accessory uses that are one hundred and twenty (120) square feet or less of gross floor area:

   a. The minimum front yard setback line from all streets shall be fifteen (15) feet to the rear of the front façade of the principal building.

   b. The minimum side yard setback shall be four (4) feet.

   c. The minimum rear yard setback shall be four (4) feet.

2. The following regulations shall apply to unattached buildings for accessory uses that exceed one hundred and twenty (120) square feet of gross floor area:

   a. The minimum front yard setback line from all streets shall be fifteen (15) feet to the rear of the front façade of the principal building.

   b. The minimum side yard setback shall be ten (10) feet.

   c. The minimum rear yard setback shall be ten (10) feet.

D. The maximum height provisions shall apply to principal buildings or structures:

1. Unless otherwise permitted, the maximum height of a principal use shall be thirty-five (35) feet.

2. Taller buildings or structures are permitted, provided that an additional setback of two (2) feet is provided for every one (1) foot of height in excess of thirty-five (35) feet up to a maximum height of fifty (50) feet.

3. Principal buildings and structures for the exclusive use of agricultural operations and not for human occupancy shall not exceed sixty (60) feet in height.

E. The maximum height provisions shall apply to accessory buildings or structures:

1. The maximum height shall be twelve (12) feet for a residential accessory building that is one hundred and twenty (120) square feet or less of gross floor area.

2. The maximum height shall be twenty-five (25) feet for a residential accessory building that exceeds one hundred and twenty (120) square feet of gross floor area.

3. The maximum height shall be sixty (60) feet for an accessory agricultural building or structure including a silo.

Article 7: High Density Residential (R-3) Zoning District

Section 7010: Purpose

A. To accommodate residential uses in a manner that encourages the efficient use of land in areas that have access public sanitary sewerage disposal facilities and to public water supply facilities.

B. To create, establish, and preserve pleasant residential neighborhoods characterized by a variety of dwelling types at the highest permitted residential density.

C. To maintain and implement growth boundary policies, which have been established as part of the Comprehensive Plan.

Section 7020: Permitted Uses

A. Principal uses permitted by right.

1. Agricultural operation, subject to the provisions specified under Section 23030 of this Zoning Ordinance. The agricultural operation shall exclude concentrated animal feeding operations, concentrated animal operations, commercial produce operations and/or cervidae livestock operations.

2. Forestry, subject to the provisions specified under Section 23290 of this Zoning Ordinance.

3. Multi-family dwellings, subject to the provisions specified under Section 23490 of this Zoning Ordinance.

4. Places of worship, subject to the provisions specified under Section 23580 of this Zoning Ordinance.

5. Recreation use that is classified as a municipal use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

6. Recreation use that is classified as a private and/or restrictive use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

7. School that is classified as a public or private school for students in kindergarten through 12th grade, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

8. Single-family detached dwellings, which are not initially or cumulatively developed as a regional impact development.

9. Single-family semi-detached dwellings, which are not initially or cumulatively developed as a regional impact development.

10. Townhouses, which are not initially or cumulatively developed as a regional impact development, subject to the provisions specified under Section 23830 of this Zoning Ordinance.

B. Accessory uses permitted by right.

1. Accessory uses and structures that are customarily and clearly accessory to a permitted use are permitted by right, subject to the provisions of this Zoning Ordinance.

2. Alternative energy facilities as an accessory use, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

3. Apartment as an accessory residential use to a single-family dwelling, subject to the provisions specified under Section 23070 of this Zoning Ordinance.

4. Community center as an accessory or subordinate use within a residential development, subject to the provisions specified under Section 23170 of this Zoning Ordinance.

5. ECHO housing as an accessory use to a permitted single-family detached dwelling, subject to the provisions specified under Section 23240 of this Zoning Ordinance.

6. Home occupation use as a no-impact accessory residential use, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

7. Residential accessory uses and structures for a permitted residential use, subject to the provisions specified under Sections 2030 and 23660 of this Zoning Ordinance.

8. Satellite receiving and/or transmitting dish antenna with a maximum diameter of three (3) feet, which may be mounted on the side or rear façade or roof of a building or ground mounted in the side or rear yard, subject to the provisions of Section 23730 of this Zoning Ordinance.

C. Uses permitted by special exception, pursuant to the provisions specified under Section 25070 of this Zoning Ordinance.

1. Bed and breakfast establishment, as a principal or accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance

2. Boarding house, subject to the provisions specified under Section 23120 of this Zoning Ordinance.

3. Cemetery, subject to the provisions specified under Section 23160 of this Zoning Ordinance.

4. Emergency service facility, subject to the provisions specified under Section 23250 of this Zoning Ordinance.

5. Farm-support business use as a business operation, subject to the provisions specified under Section 23260 of this Zoning Ordinance.

6. Home occupation as a minimal impact accessory use to a single-family detached dwelling, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

7. Library, subject to the provisions specified under Section 23430 of this Zoning Ordinance.

8. Medical, dental, vision care and/or counseling clinic, subject to the provisions specified under of Section 23470 of this Zoning Ordinance.

9. Municipal use, subject to the provisions specified under of Section 23500 of this Zoning Ordinance.

10. Orphanage, subject to the provisions specified under of Section 23560 of this Zoning Ordinance.

11. Public utility building and/or structures, subject to the provisions specified under Section 23610 of this Zoning Ordinance.

12. Residential retirement and/or care facility for the care of the aged or infirm, subject to the provisions specified under Section 23670 of this Zoning Ordinance.

13. Roadside stand for the sale of agricultural or horticultural products, subject to the provisions specified under Section 23710 of this Zoning Ordinance.

14. Satellite receiving and/or transmitting dish antenna with a maximum diameter of three (3) feet, which may be mounted on front façade of a building or ground mounted in the front yard, subject to the provisions of Section 23730 of this Zoning Ordinance.

15. Tourist home, as a principal or accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance.

D. Uses permitted by conditional use, pursuant to the provisions specified under Section 25080 of this Zoning Ordinance.

1. Historic resource overlay uses and site improvements, subject to the provisions specified under Section 21050 of this Zoning Ordinance.

2. Manufactured home park, subject to the provisions specified under Section 23440 of this Zoning Ordinance.

3. Regional impact development containing the permitted uses within the R-3 Zoning District, subject to the provisions specified under Section 23640 of this Zoning Ordinance.

Section 7030: Area, Dimensional and Height Requirements

A. Unless otherwise specified, the following lot area requirements shall apply:

1. The minimum lot size for a single-family detached dwelling shall be 6,500 square feet.

2. The minimum lot size for a single-family semi-detached dwelling shall be 5,000 square feet per unit.

3. The minimum lot size for a townhouse shall be 3,500 square feet per unit.

4. The minimum lot size for multi-family dwellings shall be 3,000 square feet per unit.

5. The maximum lot size for a single-family dwelling shall be 12,000 square feet.

6. Unless otherwise specified by other provisions contained within Article 23 of this Zoning Ordinance, the minimum lot area for all permitted non-residential uses shall be 20,000 square feet.

7. Regional impact development containing permitted uses within the R-3 Zoning District, subject to the provisions specified under Section 23640 of this Zoning Ordinance.

B. Lot width, building setback and dimensional requirements for a principal use.

1. The minimum lot width requirements shall be as follows:

a. A lot containing a single-family detached dwelling shall have a minimum lot width of fifty (50) feet as measured at the street right-of-way line and seventy-five (75) feet as measured at the front yard setback line.

b. A lot containing a single-family semi-detached dwelling shall have a minimum lot width of forty (40) feet as measured at the street right-of-way line and fifty-five (55) feet as measured at the front yard setback line.

c. A lot containing a townhouse shall have a minimum lot width of twenty-five (25) feet as measured at the street right-of-way line and twenty-five (25) feet as measured at the front yard setback line.

d. A lot containing a multi-family dwelling shall have a minimum lot width of one hundred (100) feet as measured at the street right-of-way line and one hundred (100) feet as measured at the front yard setback line.

e. A lot containing a permitted non-residential building and use shall have a minimum lot width of seventy-five (75) feet as measured at the street right-of-way line and one hundred (100) feet as measured at the front yard setback line

2. The minimum front yard setback requirements shall be as follows:

a. The minimum building setback line shall be twenty-five (25) feet, as measured from the street right-of-way line.

b. For areas within the R-3 Zoning District where existing buildings are located closer to the street than is permitted by these regulations, a new building may be placed at the same setback distance as the adjacent buildings provided that it is located within two hundred (200) feet of the adjacent buildings. If the adjacent buildings have varying setbacks, the proposed building shall not be located closer to the street than the average setback distance of the said adjacent buildings or ten (10) feet behind the street right-of-way, whichever is greater.

3. The minimum side yard setback requirements shall be as follows:

   a. A lot containing a single-family detached dwelling shall have a side yard setback of ten (10) feet.

   b. A lot containing a single-family semi-detached dwelling shall have a side yard setback of ten (10), as measured from the exterior side.

   c. Townhouses shall have a side yard setback of ten (10) feet as measured from the end units.

   d. Multi-family dwellings with four (4) or fewer units shall have a side yard setback of twenty (20) feet as measured from the end or external units.

   e. Multi-family dwellings with more than four (4) units shall have a side yard setback of thirty-five (35) feet as measured from the end or external units.

   f. Non-residential buildings or structures shall have a side yard setback of fifteen (15) feet.

4. The minimum rear yard setback requirements shall be as follows:

   a. Unless otherwise specified by this Zoning Ordinance, all residential uses within the R-3 Zoning District shall have a rear yard setback of ten (10) feet.

   b. Multi-family dwellings with more than four (4) units shall have a rear yard setback of thirty-five (35) feet as measured from the end or external units.

   c. Non-residential buildings or structures shall have a rear yard setback of thirty (35) feet.

5. Townhouse units shall comply with the building design and internal separation distance requirements specified under Section 23830 of this Zoning Ordinance.

6. Multi-family dwellings shall comply with the building design and internal separation distance requirements specified under Section 23490 of this Zoning Ordinance

7. The maximum building and lot coverage requirements shall apply:

   a. No more than forty (40) percent of the lot shall be covered by buildings.

   b. No more than sixty (60) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving.

8. All portions of any lot not used for buildings, structures, parking areas, loading areas, outdoor storage areas, and sidewalks shall be maintained with a vegetative ground cover and other ornamental plantings.

C. Setback and dimensional requirements for a residential accessory use.

1. The following regulations shall apply to unattached buildings for accessory uses that are one hundred and twenty (120) square feet or less of gross floor area :

   a. The minimum front yard setback line from all streets shall be fifteen (15) feet to the rear of the front façade of the principal building.

   b. The minimum side yard setback shall be four (4) feet.

c. The minimum rear yard setback shall be four (4) feet.

2. The following regulations shall apply to unattached buildings for accessory uses that exceed one hundred and twenty (120) square feet of gross floor area:

a. The minimum front yard setback line from all streets shall be fifteen (15) feet to the rear of the front façade of the principal building.

b. The minimum side yard setback shall be ten (10) feet.

c. The minimum rear yard setback shall be ten (10) feet..

D. The maximum height provisions shall apply to principal buildings or structures:

1. The maximum height of a building or structure occupied by a principal use shall be sixty (60) feet.

2. Taller buildings or structures are permitted, provided that an additional setback of two (2) feet is provided for every one (1) foot of height in excess of sixty (60) feet up to a maximum height of seventy-five (75) feet.

3. Principal buildings and structures for the exclusive use of agricultural operations and not for human occupancy shall not exceed sixty (60) feet in height.

E. The maximum height provisions shall apply to accessory buildings or structures:

1. The maximum height shall be twelve (12) for a residential accessory building that is one hundred and twenty (120) square feet or less of gross floor area.

2. The maximum height shall be twenty-five (25) feet for a residential accessory building that exceeds one hundred and twenty (120) square feet of gross floor area.

3. The maximum height shall be sixty (60) feet for an accessory agricultural building or structure including a silo.

Article 8: Neighborhood Commercial (C-1) Zoning District

Section 8010: Purpose

A. To accommodate commercial uses that meet the day-to-day retail needs of nearby residents.

B. To provide land for the development of small-scale commercial operations within the context of the community.

C. To promote the design of development at a scale and density that is compatible with pedestrian use.

D. To maintain and implement growth boundary policies, which have been established as part of the Comprehensive Plan.

Section 8020: Permitted Uses

A. Principal uses permitted by right.

1. Agricultural operation, subject to the provisions specified under Section 23030 of this Zoning Ordinance. The agricultural operation shall exclude concentrated animal feeding operations, concentrated animal operations, commercial produce operations and/or cervidae livestock operations.

2. Contractor storage yard within an enclosed building, subject to the provisions of Section 23190 of this Zoning Ordinance.

3. Day care facility as a commercial use, subject to the provisions specified under Section 23220 of this Zoning Ordinance.

4. Dry cleaner and/or laundromat containing no drive-through service lanes, subject to the provisions specified under Section 23230 of this Zoning Ordinance.

5. Emergency service facility, subject to the provisions specified under Section 23250 of this Zoning Ordinance.

6. Financial institution containing a maximum no more than two (2) drive-through service lane, subject to the provisions specified under Section 23280 of this Zoning Ordinance.

7. Forestry, subject to the provisions specified under Section 23290 of this Zoning Ordinance.

8. Funeral home, subject to the provisions specified under Section 23300 of this Zoning Ordinance. A crematorium may be permitted as an accessory or subordinate use to the funeral home.

9. Greenhouse as a commercial use, subject to the provisions specified under Section 23330 of this Zoning Ordinance.

10. Grocery store, subject to the provisions specified under Section 23340 of this Zoning Ordinance.

11. Home improvement and/or building supply store containing a maximum building size of 40,000 square feet of gross floor area, subject to the provisions specified under Section 23360 of this Zoning Ordinance.

12. Library, subject to the provisions specified under Section 23430 of this Zoning Ordinance.

13. Medical, dental, vision care and/or counseling clinic, subject to the provisions specified under of Section 23470 of this Zoning Ordinance.

14. Multi-family dwellings, subject to the provisions specified under Section 23490 of this Zoning Ordinance.

15. Municipal use, subject to the provisions specified under of Section 23500 of this Zoning Ordinance.

16. Museum, subject to the provisions specified under of Section 23510 of this Zoning Ordinance.

17. Office uses, subject to the provisions specified under of Section 23540 of this Zoning Ordinance.

18. Personal service facility, subject to the provisions specified under of Section 23570 of this Zoning Ordinance.

19. Places of worship, subject to the provisions specified under Section 23580 of this Zoning Ordinance.

20. Principal uses permitted in combination, subject to the provisions specified under Section 23590 of this Zoning Ordinance.

21. Recreation use that is classified as a municipal use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

22. Recreation use that is classified as a private or restricted recreation uses, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

23. Restaurant containing no drive-through service lanes, subject to the provisions specified under Section 23680 of this Zoning Ordinance.

24. Retail bakery or confectioner containing no drive-through service lanes, subject to the provisions specified under Section 23690 of this Zoning Ordinance.

25. Retail sales containing no drive-through service lanes, subject to the provisions specified under Section 23700 of this Zoning Ordinance.

26. School that is classified as a commercial school, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

27. School that is classified as a public or private school, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

28. Self-storage facility, subject to the provisions specified under Section 23750 of this Zoning Ordinance

29. Shopping center, subject to the provisions specified under Section 23770 of this Zoning Ordinance.

30. Single-family semi-detached dwellings, which are not initially or cumulatively developed as a regional impact development.

31. Townhouses, which are not initially or cumulatively developed as a regional impact development, subject to the provisions specified under Section 23830 of this Zoning Ordinance.

32. Veterinary office, subject to the provisions specified under Section 23860 of this Zoning Ordinance.

B. Accessory uses permitted by right.

1. Accessory uses and structures that are customarily and clearly accessory to a permitted use are permitted by right, subject to the provisions of this Zoning Ordinance.

2. Alternative energy facilities as an accessory use, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

3. Apartment as an accessory use to a permitted non-residential use, subject to the provisions specified under Section 23070 of this Zoning Ordinance.

4. Home occupation use as a no-impact accessory residential use, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

5. Satellite receiving and/or transmitting dish antenna with a maximum diameter of three (3) feet, which may be mounted on the side or rear façade or roof of a building or ground mounted in the side or rear yard, subject to the provisions of Section 23730 of this Zoning Ordinance.

6. Telecommunication or wireless communication facilities located on an existing building or structure, subject to the provisions specified under Section 23810 of this Zoning Ordinance.

C. Uses permitted by special exception, pursuant to the provisions specified under Section 25070 of this Zoning Ordinance.

1. Automobile repair or service station, subject to the provisions specified under Section 23080 of this Zoning Ordinance.

2. Bed and breakfast establishment, as an accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance.

3. Convenience store, subject to the provisions specified under Section 23200 of this Zoning Ordinance.

4. Farm-support business use as a business operation, subject to the provisions specified under Section 23260 of this Zoning Ordinance.

5. Home occupation as a minimal impact accessory use to a single-family detached dwelling, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

6. Public utility building and/or structures, subject to the provisions specified under Section 23610 of this Zoning Ordinance.

7. Residential accessory uses and structures for a permitted non-conforming use, subject to the provisions specified under Sections 22030 and 23660 of this Zoning Ordinance.

8. Restaurant containing no more than one (1) drive-through service lane, subject to the provisions specified under Section 23680 of this Zoning Ordinance.

9. Restaurant use classified as a “Bring Your Own Bottle” or “BYOB”, subject to the provisions of Section 23680 of this Zoning Ordinance.

10. Retail sales containing no more than one (1) drive-through service lane, subject to the provisions specified under Section 23700 of this Zoning Ordinance.

11. Satellite receiving and/or transmitting dish antenna with a diameter of less than three (3) feet that is located on the front façade of a building and/or located as a ground mounted structure, subject to the provisions specified under Section 23730 of this Zoning Ordinance.

12. Tourist home, as a principal or accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance.

D. Uses permitted by conditional use, pursuant to the provisions specified under Section 25080 of this Zoning Ordinance.

1. Historic resource overlay uses and site improvements, subject to the provisions specified under Section 21050 of this Zoning Ordinance.

2. Regional impact development containing the permitted uses within the C-1 Zoning District, subject to the provisions specified under Section 23640 of this Zoning Ordinance.

Section 8030: Area, Dimensional and Height Requirements

A. .Lot Size Requirements:

1. Unless otherwise specified by other provisions contained within Article 23 of this Zoning Ordinance, the minimum lot area for all permitted non-residential uses shall be 15,000 square feet.

2. The minimum lot size for a single-family semi-detached dwelling shall be 5,000 square feet per unit.

3. The minimum lot size for a townhouse shall be 3,500 square feet per unit.

4. The minimum lot size for multi-family dwellings shall be 3,000 square feet per unit.

5. All uses within the C-1 Zoning District shall be served by public sanitary sewage disposal facilities and by public water supply facilities.

B. Lot width, building setback and dimensional requirements for a principal use.

1. The minimum lot width requirements shall be as follows:

   a. Unless otherwise specified by other provisions within this Zoning Ordinance, the minimum lot width requirement for a permitted use shall be sixty-five (65) feet as measured at the street right-of-way line and one hundred (100) feet as measured at the front yard setback line.

   b. A lot containing a single-family semi-detached dwelling shall have a minimum lot width of forty (40) feet as measured at the street right-of-way line and the front yard setback line.

   c. A lot containing a townhouse shall have a minimum lot width of twenty-five (25) feet as measured at the street right-of-way line and the front yard setback line.

   d. A lot containing a multi-family dwelling shall have a minimum lot width of one hundred (100) feet as measured at the street right-of-way line and front yard setback line.

2. The minimum front yard setback requirements shall be as follows:

   a. The minimum building setback line shall be twenty-five (25) feet as measured from the street right-of-way line.

   b. For areas within the C-1 Zoning District where existing buildings are located closer to the street than is permitted by these regulations, a new building may be placed at the same setback distance as the adjacent buildings provided that it is located within two hundred (200) feet of the adjacent buildings. If the adjacent buildings have varying setbacks, the proposed building shall not be located closer to the street than the average setback distance of the said adjacent buildings or ten (10) feet behind the street right-of-way, whichever is greater.

3. The minimum side yard setback requirements shall be as follows:

   a. The minimum side yard setback shall be ten (10) feet provided that the property is not located adjacent or adjoining to the AG, R-1, R-2 and/or R-3 Zoning District.

   b. The minimum side yard setback shall be twenty (20) feet if the property is located adjacent or adjoining to the AG, R-1, R-2 and/or R-3 Zoning District.

   c. The side yard requirement may be modified to allow adjoining uses to share off-street parking, loading and internal access drives.

4. The minimum rear yard setback requirements shall be as follows:

   a. The minimum rear yard setback shall be thirty (30) feet provided that the property is not located adjacent or adjoining to the Zoning District.

b. The minimum rear yard setback shall be forty (40) feet provided that the property is located adjacent or adjoining to the AG, R-1, R-2 and/or R-3 Zoning District.

c. The rear yard requirement may be modified to allow adjoining uses to share off-street parking, loading and internal access drives.

5. The maximum building and lot coverage requirements shall apply:

a. No more than sixty (60) percent of the lot shall be covered by buildings.

b. No more than seventy (70) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving.

c. If more than fifty (50) percent of the required off-street parking spaces are located behind the front yard setback line, the maximum lot or impervious coverage requirement may be increased to a total of seventy-five (75) percent of the lot.

C. Unless otherwise specified elsewhere within this Zoning Ordinance, all permitted accessory buildings or structures shall comply with the minimum setback requirements that are specified under Section 8030 of this Zoning Ordinance.

D. Unless otherwise specified by this Zoning Ordinance, the following height provisions shall apply to all permitted uses:

1. The maximum height of a building or structure occupied by a principal use shall be forty (40) feet.

2. Taller buildings or structures are permitted, provided that an additional setback of two (2) feet is provided for every one (1) foot of height in excess of forty (40) feet up to a maximum height of fifty (50) feet..

3. Principal buildings and structures for the exclusive use of agricultural operations and not for human occupancy shall not exceed sixty (60) feet in height.

Article 9: General Commercial (C-2) Zoning District

Section 9010: Purpose

A. To accommodate commercial uses that meet a broader variety of retail needs of the community and the immediate surrounding areas than found within the C-2 Zoning District.

B. To provide land for commercial uses and development that are designed to accommodate patrons traveling by automobile within a regional geographic area.

C. To provide land with an appropriate level of highway access for the development of larger commercial operations within the context of the community.

D. To maintain and implement growth boundary policies, which have been established as part of the Comprehensive Plan.

Section 9020: Permitted Uses

A. Principal uses permitted by right.

1. Agricultural operation, subject to the provisions specified under Section 23030 of this Zoning Ordinance. The agricultural operation shall exclude concentrated animal feeding operations, concentrated animal operations, commercial produce operations and/or cervidae livestock operations.

2. Automobile repair and/or automobile service station, subject to the provisions specified under Section 23080 of this Zoning Ordinance.

3. Automobile sales, subject to the provisions specified under Section 23090 of this Zoning Ordinance.

4. Bowling alley, subject to the provisions specified under Section 23130 of this Zoning Ordinance.

5. Contractor storage yard within an enclosed building, subject to the provisions of Section 23190 of this Zoning Ordinance.

6. Convenience store, subject to the provisions specified under Section 23200 of this Zoning Ordinance.

7. Day care facility as a commercial use, subject to the provisions specified under Section 23220 of this Zoning Ordinance.

8. Emergency service facility, subject to the provisions under Section 23250 of this Zoning Ordinance.

9. Financial institution containing a maximum no more than two (2) drive-through service lane, subject to the provisions specified under Section 23280 of this Zoning Ordinance.

10. Forestry, subject to the provisions specified under Section 23290 of this Zoning Ordinance.

11. Greenhouse as a commercial use, subject to the provisions specified under Section 23330 of this Zoning Ordinance.

12. Home improvement and/or building supply store, subject to the provisions specified under Section 23360 of this Zoning Ordinance.

13. Hotel and/or motel containing a maximum of one hundred twenty-five (125) rental units or rooms, subject to the provisions specified under Section 23400 of this Zoning Ordinance.

14. Mass transportation depot, subject to the provisions specified under Section 23460 of this Zoning Ordinance.

15. Municipal use, subject to the provisions specified under of Section 23500 of this Zoning Ordinance.

16. Museum, subject to the provisions specified under of Section 23510 of this Zoning Ordinance.

17. Office uses, subject to the provisions specified under of Section 23540 of this Zoning Ordinance.

18. Personal service facility, subject to the provisions specified under of Section 23570 of this Zoning Ordinance.

19. Public utility building and/or structures, subject to the provisions specified under Section 23610 of this Zoning Ordinance.

20. Recreation use that is classified as a commercial recreation use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

21. Recreation use that is defined as a municipal recreation use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

22. Recreation use that is defined as a restricted recreation use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

23. Restaurant containing no drive-through service lanes, subject to the provisions specified under Section 23680 of this Zoning Ordinance.

24. Retail bakery or confectioner containing no drive-through service lanes, subject to the provisions specified under Section 23690 of this Zoning Ordinance.

25. Retail sales containing no drive-through service lanes, subject to the provisions specified under Section 23700 of this Zoning Ordinance. A grocery store shall not be permitted as a principal use within the C-2 Zoning District.

26. School that is defined as a commercial school, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

27. Shopping center, subject to the provisions specified under Section 23770 of this Zoning Ordinance.

28. State or county highway maintenance facility, subject to the provisions specified under Section 23800 of this Zoning Ordinance.

29. Theater, subject to the provisions specified under Section 23820 of this Zoning Ordinance.

B. Accessory uses permitted by right.

1. Accessory uses and structures that are customarily and clearly accessory to a permitted use are permitted by right, subject to the provisions of this Zoning Ordinance.

2. Alternative energy facilities as an accessory use, which may include geothermal heat pumps, solar energy systems, wind turbines, wind energy facilities or wood-fired boilers, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

3. Amusement arcade as an accessory use within a building occupied by a permitted commercial use. The maximum floor area of an amusement arcade shall not exceed five (5) percent of the gross floor area of the permitted commercial use.

4. Grocery store as an accessory use within a building occupied by a permitted shopping center or retail use, subject to the provisions specified under Section 23340 of this Zoning Ordinance. The grocery store shall not occupy more than thirty (30) percent of the gross floor area of the building occupying the principal use.

5. Home occupation use as a no-impact accessory residential use, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

6. Satellite receiving and/or transmitting dish antenna with a maximum diameter of three (3) feet, which may be mounted on the side or rear façade or roof of a building or ground mounted in the side or rear yard, subject to the provisions of Section 23730 of this Zoning Ordinance.

7. Telecommunication or wireless communication facilities located on an existing building or structure, subject to the provisions specified under Section 23810 of this Zoning Ordinance.

C. Uses permitted by special exception, pursuant to the provisions specified under Section 25070 of this Zoning Ordinance.

1. Car wash, subject to the provisions specified under Section 23150 of this Zoning Ordinance.

2. Farm-support business use as a business operation, subject to the provisions specified under Section 23260 of this Zoning Ordinance.

3. Farmers market, subject to the provisions specified under Section 23270 of this Zoning Ordinance.

4. Home occupation as a minimal impact accessory use to a single-family detached dwelling, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

5. Residential accessory uses and structures for a non-conforming use, subject to the provisions specified under Sections 22030 and Section 23660 of this Zoning Ordinance.

6. Restaurant containing no more than one (1) drive-through service lane, subject to the provisions specified under Section 23680 of this Zoning Ordinance.

7. Retail bakery or confectioner containing no more than one (1) drive-through service lane, subject to the provisions specified under Section 23690 of this Zoning Ordinance.

8. Retail sales containing no more than one (1) drive-through service lane, subject to the provisions specified under Section 23700 of this Zoning Ordinance.

9. Satellite receiving and/or transmitting dish antenna with a diameter of less than three (3) feet that is located on the front façade of a building and/or located as a ground mounted structure, subject to the provisions specified under Section 23730 of this Zoning Ordinance.

10. Social club and/or fraternal lodge, subject to the provisions of Section 23790 of this Zoning Ordinance.

D. Uses permitted by conditional use, pursuant to the provisions specified under Section 25080 of this Zoning Ordinance.

1. Historic resource overlay uses and site improvements, subject to the provisions specified under Section 21050 of this Zoning Ordinance.

2. Regional impact development containing the permitted uses within the C-2 Zoning District, subject to the provisions specified under Section 23640 of this Zoning Ordinance.

Section 9030: Area, Dimensional and Height Requirements

A. Unless otherwise specified, the following lot area requirements shall apply.

1. Unless otherwise specified by other provisions contained within Article 23 of this Zoning Ordinance, the minimum lot area for all permitted non-residential uses shall be 25,000 square feet.

2. All uses within the C-2 Zoning District shall be served by public sanitary sewage disposal facilities and by public water supply facilities.

B. Lot width, building setback and dimensional requirements for a principal use.

1. The minimum lot width requirement for a permitted use shall be a sixty-five (65) feet as measured at the street right-of-way line and one hundred (100) feet as measured at the front yard setback line.

2. The minimum lot depth for a permitted use shall be one hundred (100) feet.

3. The minimum front yard setback requirements shall be as follows:

   a. The minimum building setback line shall be thirty (30) feet as measured from the street right-of-way line.

   b. For areas within the C-2 Zoning District where existing buildings are located closer to the street than is permitted by these regulations, a new building may be placed at the same setback distance as the adjacent buildings provided that it is located within two hundred (200) feet of the adjacent buildings. If the adjacent buildings have varying setbacks, the proposed building shall not be located closer to the street than the average setback distance of the said adjacent buildings or ten (10) feet behind the street right-of-way, whichever is greater.

4. The minimum side yard setback requirements shall be as follows:

   a. The minimum side yard setback shall be ten (10) feet provided that the property is not located adjacent or adjoining to the AG, R-1, R-2 and/or R-3 Zoning District.

   b. The minimum side yard setback shall be twenty (20) feet if the property is located adjacent or adjoining to the AG, R-1, R-2 and/or R-3 Zoning District.

   c. The side yard requirement may be modified to allow adjoining uses to share off-street parking, loading and internal access drives.

5. The minimum rear yard setback requirements shall be as follows:

   a. The minimum rear yard setback shall be thirty (30) feet provided that the property is not located adjacent or adjoining to the AG, R-1, R-2 and/or R-3 Zoning District.

   b. The minimum rear yard setback shall be forty (40) feet provided that the property is located adjacent or adjoining to the AG, R-1, R-2 and/or R-3 Zoning District.

   c. The rear yard requirement may be modified to allow adjoining uses to share off-street parking, loading and internal access drives.

6. The maximum building and lot coverage requirements shall apply:

   a. No more than sixty (60) percent of the lot shall be covered by buildings.

   b. No more than seventy (70) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving,

   c. If more than fifty (50) percent of the required off-street parking spaces are located behind the front yard setback line, the maximum lot or impervious coverage requirement may be increased to a total of seventy-five (75) percent of the lot.

C. Unless otherwise specified elsewhere within this Zoning Ordinance, all permitted accessory buildings or structures shall comply with the minimum setback requirements that are specified under Section 9030 of this Zoning Ordinance.

D. Unless otherwise specified by this Zoning Ordinance, the following height provisions shall apply to all permitted uses:

1. The maximum height of a building or structure occupied by a principal use shall be fifty (50) feet.

2. Taller buildings or structures are permitted, provided that an additional setback of two (2) feet is provided for every one (1) foot of height in excess of fifty (50) feet up to a maximum height of sixty-five (65) feet.

3. Principal buildings and structures for the exclusive use of agricultural operations and not for human occupancy shall not exceed sixty (60) feet in height.

Article 10: Regional Commercial (C-3) Zoning District

Section 10010: Purpose

A. To provide areas for large-scale commercial uses that are destination-type attractions for local residents as well as visitors throughout the region and beyond.

B. To provide areas for large-scale commercial uses that are appropriately sited to accommodate higher volumes of vehicular traffic.

C. To establish areas for large-scale commercial uses that will provide them with sufficient visibility to enable their long-term viability while minimizing their negative impacts upon residential areas and preserving the context of the community.

D. To maintain and implement growth boundary policies, which have been established as part of the Comprehensive Plan.

Section 10020: Permitted Uses

A. Principal uses permitted by right.

1. Agricultural operation, subject to the provisions specified under Section 23030 of this Zoning Ordinance. The agricultural operation shall exclude concentrated animal feeding operations, concentrated animal operations, commercial produce operations and/or cervidae livestock operations.

2. Bowling alley, subject to the provisions specified under Section 23130 of this Zoning Ordinance.

3. Convenience store, subject to the provisions specified under Section 23200 of this Zoning Ordinance.

4. Emergency service facility, subject to the provisions specified under Section 23250 of this Zoning Ordinance.

5. Forestry, subject to the provisions specified under Section 23290 of this Zoning Ordinance.

6. Garage to accommodate a commercial or public use, subject to Section 23310 of this Zoning Ordinance.

7. Golf course, subject to the provisions specified under Section 23320 of this Zoning Ordinance.

8. Hotel and/or motel containing a maximum of two hundred (200) rooms or rental units, subject to the provisions specified under Section 23400 of this Zoning Ordinance.

9. Mass transportation depot, subject to the provisions specified under Section 23460 of this Zoning Ordinance.

10. Municipal use, subject to the provisions specified under of Section 23500 of this Zoning Ordinance.

11. Museum, subject to the provisions specified under of Section 23510 of this Zoning Ordinance.

12. Personal service facility, subject to the provisions specified under of Section 23570 of this Zoning Ordinance.

13. Principal uses permitted in combination, subject to the provisions specified under Section 23590 of this Zoning Ordinance.

14. Public utility building and/or structures, subject to the provisions specified under Section 23610 of this Zoning Ordinance.

15. Recreation use that is classified as a commercial recreation use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

16. Recreation use that is classified as a municipal recreation use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

17. Restaurant with or without drive-through service lanes (maximum 1 drive through service lane), subject to the provisions specified under Section 23680 of this Zoning Ordinance.

18. Retail bakery or confectioner with or without drive-through service lanes (maximum 1 drive through service lane), subject to the provisions specified under Section 23690 of this Zoning Ordinance.

19. Retail sales with or without drive-through service lanes (maximum 1 drive through service lane), subject to the provisions specified under Section 23700 of this Zoning Ordinance. A grocery store shall not be permitted as a principal use within the C-3 Zoning District.

20. Shopping center, subject to the provisions specified under Section 23770 of this Zoning Ordinance.

21. Theater, subject to the provisions specified under Section 23820 of this Zoning Ordinance.

B. Accessory uses permitted by right.

1. Accessory uses and structures that are customarily and clearly accessory to a permitted use are permitted by right, subject to the provisions of this Zoning Ordinance.

2. Alternative energy facilities as an accessory use, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

3. Amusement arcade as an accessory use within a building occupied by a permitted commercial use. The maximum floor area of an amusement arcade shall not exceed five (5) percent of the gross floor area of the permitted commercial use.

4. Home occupation use as a no-impact accessory residential use, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

5. Restaurant or cafeteria as an accessory use to a permitted principal use, subject to Section 23680 of this Zoning Ordinance.

6. Satellite receiving and/or transmitting dish antenna with a maximum diameter of six (6) feet, which may be mounted on the side or rear façade or roof of a building or ground mounted in the side or rear yard, subject to the provisions of Section 23730 of this Zoning Ordinance.

7. Telecommunication or wireless communication facilities located on an existing building or structure, subject to the provisions specified under Section 23810 of this Zoning Ordinance.

C. Uses permitted by special exception, pursuant to the provisions specified under Section 25070 of this Zoning Ordinance.

1. Campgrounds, subject to the provisions specified under Section 23140 of this Zoning Ordinance.

2. Farm-support business use as a business operation, subject to the provisions specified under Section 23260 of this Zoning Ordinance.

3. Home occupation as a minimal impact accessory use to a single-family detached dwelling, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

4. Hotel and/or motel designated and occupied as an “extended stay hotel”, subject to the provisions specified under Section 23400 of this Zoning Ordinance.

5. Residential accessory uses and structures for a non-conforming use, subject to the provisions specified under Sections 22030 and 23660 of this Zoning Ordinance.

6. Satellite receiving and/or transmitting dish antenna with a diameter of less than six (6) feet that is located on the front façade of a building and/or located as a ground mounted structure, subject to the provisions specified under Section 23730 of this Zoning Ordinance.

D. Uses permitted by conditional use, pursuant to the provisions specified under Section 25080 of this Zoning Ordinance.

1. Amusement park, subject to the provisions specified under Section 23060 of this Zoning Ordinance.

2. Convention center, subject to the provisions specified under Section 23210 of this Zoning Ordinance.

3. Historic resource overlay uses and site improvements, subject to the provisions specified under Section 21050 of this Zoning Ordinance.

4. Hotel and/or motel containing a maximum of four hundred (400) rooms or rental units, subject to the provisions specified under Section 23400 of this Zoning Ordinance.

5. Off-track betting facility or gaming facility, subject to the provisions specified under Section 23530 of this Zoning Ordinance.

6. Regional impact development containing the permitted uses within the C-3 Zoning District, subject to the provisions specified under Section 23640 of this Zoning Ordinance.

Section 10030: Area, Dimensional and Height Requirements

A. Unless otherwise specified, the following lot area requirements shall apply:

1. Unless otherwise specified by other provisions contained within Article 23 of this Zoning Ordinance, the minimum lot area for all permitted non-residential uses shall be two (2) acres.

2. All uses within the C-3 Zoning District shall be served by public sanitary sewage disposal facilities and by public water supply facilities.

B. Lot width, building setback and dimensional requirements for a principal use.

1. The minimum lot width requirement for a permitted use shall be one hundred and fifty (150) feet as measured at the street right-of-way line and as measured at the front yard setback line.

2. The minimum lot depth for a permitted use shall be three (300) feet.

3. The minimum front yard setback requirements shall be as follows:

a. The minimum building setback line shall be thirty (30) feet as measured from the street right-of-way line.

b. For areas within the C-3 Zoning District where existing buildings are located closer to the street than is permitted by these regulations, a new building may be placed at the same setback distance as the adjacent buildings provided that it is located within two hundred (200) feet of the adjacent buildings.

4. The minimum side yard setback requirements shall be as follows:

a. The minimum side yard setback shall be twenty-five (25) feet provided that the property is not located adjacent or adjoining to the AG, R-1, R-2 and/or R-3 Zoning District.

b. The minimum side yard setback shall be thirty (30) feet provided that the property is located adjacent or adjoining to the AG, R-1, R-2 and/or R-3 Zoning District.

c. The side yard requirement may be modified to allow adjoining uses to share off-street parking, loading and internal access drives.

5. The minimum rear yard setback requirements shall be as follows:

a. The minimum rear yard setback shall be forty (40) feet provided that the property is not located adjacent or adjoining to the AG, R-1, R-2 and/or R-3 Zoning District.

b. The minimum rear yard setback shall be sixty (60) feet provided that the property is located adjacent or adjoining to the AG, R-1, R-2 and/or R-3 Zoning Districts.

c. The rear yard requirement may be modified to allow adjoining uses to share off-street parking, loading and internal access drives.

6. The maximum building and lot coverage requirements shall apply:

a. No more than sixty (60) percent of the lot shall be covered by buildings.

b. No more than seventy (70) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving,

c. If more than fifty (50) percent of the required off-street parking spaces are located behind the front yard setback line, the maximum lot or impervious coverage requirement may be increased to a total of seventy-five (75) percent of the lot.

C. Unless otherwise specified elsewhere within this Zoning Ordinance, all permitted accessory buildings or structures shall comply with the minimum setback requirements that are specified under Section 10030 of this Zoning Ordinance.

D. Unless otherwise specified by this Zoning Ordinance, the following height provisions shall apply to all permitted uses:

1. The maximum height of a building or structure occupied by a principal use shall be seventy (70) feet.

2. Taller buildings or structures are permitted, provided that an additional setback of two (2) feet is provided for every one (1) foot of height in excess of seventy (70) feet up to a maximum height of ninety-five (95) feet.

3. Principal buildings and structures for the exclusive use of agricultural operations and not for human occupancy shall not exceed sixty (60) feet in height.

Article 11: Light Industrial (I-1) Zoning District

Section 11010: Purpose

A. To accommodate industrial and manufacturing uses, along with related service and support uses and compatible commercial activities, that are characterized as producing minimal hazards as well as having a minimal impact relative to the production of smoke, noise, odor, dust, and other nuisances.

B. To provide design standards for the development of the lands in this district that will promote the creation of an attractive community.

C. To maintain and implement growth boundary policies, which have been established as part of the Comprehensive Plan.

Section 11020: Permitted Uses

A. Principal uses permitted by right.

1. Agricultural operation, subject to the provisions specified under Section 23030 of this Zoning Ordinance. The agricultural operation shall exclude concentrated animal feeding operations, concentrated animal operations, commercial produce operations and/or cervidae livestock operations.

2. Contractor storage yard, subject to the provisions specified under Section 23190 of this Zoning Ordinance.

3. Emergency service facility, subject to the provisions specified under Section 23250 of this Zoning Ordinance.

4. Forestry, subject to the provisions specified under Section 23290 of this Zoning Ordinance.

5. Greenhouse as a commercial use, subject to the provisions specified under Section 23330 of this Zoning Ordinance.

6. Manufacturing use containing a maximum building size of 100,000 square feet of gross floor area, subject to the provisions specified under Section 23450 of this Zoning Ordinance.

7. Municipal use, subject to the provisions specified under of Section 23500 of this Zoning Ordinance.

8. Offices as a principal use, subject to the provisions specified under Section 23540 of this Zoning Ordinance.

9. Principal uses permitted in combination, subject to the provisions specified under Section 23590 of this Zoning Ordinance.

10. Public utility building and/or structures, subject to the provisions specified under Section 23610 of this Zoning Ordinance.

11. Recreation use that is classified as a municipal recreation use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

12. Repair facility containing a maximum building size of 100,000 square feet of gross floor area, subject to the provisions specified under Section 23650 of this Zoning Ordinance

13. School that is classified as a commercial school, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

14. School that is classified as a public or private school, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

15. Self-storage facility, subject to the provisions specified under Section 23750 of this Zoning Ordinance.

16. Warehouse and distribution facility, subject to the following building size requirements and provisions specified under Section 23870 of this Zoning Ordinance.

    a. A maximum of 40,000 square feet of gross floor area shall be permitted for a warehouse facility located along a road owned and maintained by East Lampeter Township.

    b. A maximum of 100,000 square feet of gross floor area shall be permitted for a warehouse facility located along a road owned and maintained by the Commonwealth of Pennsylvania.

17. Wholesale and distribution facility, subject to the provisions of Section 23880 of this Zoning Ordinance.

B. Accessory uses permitted by right.

1. Accessory uses and structures that are customarily and clearly accessory to a permitted use are permitted by right, subject to the provisions of this Zoning Ordinance.

2. Alternative energy facilities as an accessory use, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

3. Alternative energy facilities designed and operated as a local service area facility, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

4. Day care facility as an accessory or subordinate use, subject to the provisions specified under Section 23220 of this Zoning Ordinance.

5. Recreation use as an accessory or subordinate use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

6. Repair facility, subject to the provisions specified under Section 23650 of this Zoning Ordinance.

7. Restaurant and/or cafeteria as an accessory or subordinate use, subject to the provisions specified under Section 23680 of this Zoning Ordinance.

8. Retail sales of goods and services produced on-site for a permitted manufacturing, warehouse, wholesale and/or distribution use, subject to the provisions specified under Section 23700 of this Zoning Ordinance.

9. Satellite receiving and/or transmitting dish antenna with a diameter of less than six (6) feet that is mounted to the side, rear or roof of a building, subject to the provisions specified under Section 23730 of this Zoning Ordinance.

10. Telecommunication or wireless communication facilities located on an existing building or structure, subject to the provisions specified under Section 23810 of this Zoning Ordinance.

C. Uses permitted by special exception, pursuant to the provisions specified under Section 25070 of this Zoning Ordinance.

1. Airport and heliport, subject to the provisions specified under Section 23040 of this Zoning Ordinance.

2. Farm-support business use as a business operation, subject to the provisions specified under Section 23260 of this Zoning Ordinance.

3. Residential accessory uses and structures for a non-conforming use, subject to the provisions specified under Sections 22030 and 23660 of this Zoning Ordinance.

4. Satellite receiving and/or transmitting dish antenna with a diameter of less than six (6) feet that is located on the front façade of a building and/or located as a ground mounted structure, subject to the provisions specified under Section 23730 of this Zoning Ordinance.

5. Telecommunication or wireless communication facilities with a new support tower or structure, subject to the provisions specified under Section 23810 of this Zoning Ordinance.

D. Uses permitted by conditional use, pursuant to the provisions specified under Section 25080 of this Zoning Ordinance.

1. Alternative energy facilities as an accessory use, which may include manure digesters, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

2. Alternative energy facilities as a principal use, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, subject to the provisions specified under Section 23050.2 of this Zoning Ordinance.

3. Historic resource overlay uses and site improvements, subject to the provisions specified under Section 21050 of this Zoning Ordinance.

4. Regional impact development containing the permitted uses within the I-1 Zoning District, subject to the provisions specified under Section 23640 of this Zoning Ordinance.

Section 11030: Area, Dimensional and Height Requirements

A. Unless otherwise specified, the following lot area requirements shall apply:

1. The minimum lot size per principal building or use shall be twenty thousand (20,000) square feet.

2. All uses shall be served by a public sanitary sewage disposal system and by a public water supply system (where available) or on-lot water supply system.

B. Lot width, building setback and dimensional requirements for a principal use.

1. The minimum lot width requirement for a permitted use shall be sixty-five (65) feet as measured at the street right-of-way line and one hundred (100) feet as measured at the front yard setback line.

2. The minimum front yard setback requirements shall be as follows:

a. The minimum building setback line shall be thirty (30) feet, as measured from the street right-of-way line.

b. For areas within the I-1 Zoning District where existing buildings are located closer to the street than is permitted by these regulations, a new building may be placed at the same setback distance as the adjacent buildings provided that it is located within two hundred (200) feet of the adjacent buildings.

c. For areas within the I-1 Zoning District, the minimum setback requirement shall not be less than sixty (60) feet, as measured from the centerline of the street, provided that the property across the street is located within the AG, R-1, R-2 and/or R-3 Zoning Districts.

3. The minimum side yard setback requirements shall be as follows:

a. The minimum side yard setback shall be fifteen (15) feet provided that the property is not located adjacent or adjoining to the AG, R-1, R-2 and/or R-3 Zoning District.

b. The minimum side yard setback shall be twenty-five (25) feet provided that the property is located adjacent or adjoining to the AG, R-1, R-2 and/or R-3 Zoning District.

c. The side yard requirement may be modified to allow adjoining uses to share off-street parking, loading and internal access drives or if the industrial lot adjoins a rail siding.

4. The minimum rear yard setback requirements shall be as follows:

a. The minimum rear yard setback shall be forty (40) feet provided that the property is not located adjacent or adjoining to the AG, R-1, R-2 and/or R-3 Zoning District.

b. The minimum rear yard setback shall be sixty (60) feet provided that the property is located adjacent or adjoining to the AG, R-1, R-2 and/or R-3 Zoning Districts.

c. The rear yard requirement may be modified if the industrial lot adjoins a rail siding.

5. The maximum building and lot coverage requirements shall apply:

a. No more than sixty (60) percent of the lot shall be covered by buildings.

b. No more than seventy (70) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving,

c. If more than fifty (50) percent of the required off-street parking spaces are located behind the front yard setback line, the maximum lot or impervious coverage requirement may be increased to a total of seventy-five (75) percent of the lot.

C. Unless otherwise specified elsewhere within this Zoning Ordinance, all permitted accessory buildings or structures shall comply with the minimum setback requirements that are specified under Section 11030 of this Zoning Ordinance.

D. Unless otherwise specified by this Zoning Ordinance, the following height provisions shall apply to all permitted uses:

1. The maximum height of a building or structure occupied by a principal use shall be fifty (50) feet.

2. Taller buildings or structures are permitted, provided that an additional setback of two (2) feet is provided for every one (1) foot of height in excess of fifty (50) feet up to a maximum height of sixty-five (65) feet.

3. Principal buildings and structures for the exclusive use of agricultural operations and not for human occupancy shall not exceed sixty (60) feet in height.

Article 12: General Industrial (I-2) Zoning District

Section 12010: Purpose

A. To accommodate large-scale industrial and manufacturing uses, particularly those with a regional impact, along with related service and support uses and compatible commercial activities, that may have more significant impact relative to the production of smoke, noise, odor, dust, and other nuisances.

B. To provide design standards for the development of the lands in this district that will promote the creation of an attractive community.

C. To maintain and implement growth boundary policies, which have been established as part of the Comprehensive Plan.

Section 12020: Permitted Uses

A. Principal uses permitted by right.

1. Agricultural operation, subject to the provisions specified under Section 23030 of this Zoning Ordinance. The agricultural operation shall exclude concentrated animal feeding operations, concentrated animal operations, commercial produce operations and/or cervidae livestock operations.

2. Contractor storage yard, subject to the provisions specified under Section 23190 of this Zoning Ordinance.

3. Emergency service facility, subject to the provisions specified under Section 23250 of this Zoning Ordinance.

4. Forestry, subject to the provisions specified under Section 23290 of this Zoning Ordinance.

5. Heavy equipment sales, service and repair facility, subject to the provisions specified under Section 23350 of this Zoning Ordinance.

6. Manufacturing use, subject to the provisions specified under Section 23450 of this Zoning Ordinance.

7. Motor freight terminal containing a minimum lot are of five (5) acres and a maximum lot area of twenty (20) acres, subject to the provisions specified under Section 23480 of this Zoning Ordinance.

8. Municipal use, subject to the provisions specified under Section 23500 of this Zoning Ordinance.

9. Offices as a principal or accessory use, subject to the provisions specified under Section 23540 of this Zoning Ordinance.

10. Principal uses permitted in combination, subject to the provisions specified under Section 23590 of this Zoning Ordinance.

11. Public utility building and/or structures, subject to the provisions specified under Section 23610 of this Zoning Ordinance.

12. Recreation use that is classified as a municipal recreation use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

13. School that is classified as a commercial school, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

14. School that is classified as a public or private school, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

15. School that is classified as a vocational, mechanical and/or trade school, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

16. Self-storage facility, subject to the provisions specified under Section 23750 of this Zoning Ordinance.

17. Transportation depot, subject to the provisions specified under Section 23840 of this Zoning Ordinance.

18. Warehouse and distribution facility, subject to the provisions specified under Section 23870 of this Zoning Ordinance.

19. Wholesale and distribution facility, subject to the provisions specified under Section 23880 of this Zoning Ordinance.

B. Accessory uses permitted by right.

1. Accessory uses and structures that are customarily and clearly accessory to a permitted use are permitted by right, subject to the provisions of this Zoning Ordinance.

2. Alternative energy facilities as an accessory use, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

3. Alternative energy facilities designed and operated as a local service area facility, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

4. Day care facility as an accessory or subordinate use, subject to the provisions specified under Section 23220 of this Zoning Ordinance.

5. Recreation use as an accessory or subordinate use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

6. Repair facility, subject to the provisions specified under Section 23650 of this Zoning Ordinance.

7. Restaurant and/or cafeteria as an accessory or subordinate use, subject to the provisions specified under Section 23680 of this Zoning Ordinance.

8. Retail sales of goods and services produced on-site for a permitted manufacturing, warehouse, wholesale and/or distribution use, subject to the provisions specified under Section 23700 of this Zoning Ordinance.

9. Satellite receiving and/or transmitting dish antenna with a diameter of less than six (6) feet that is mounted to the side, rear or roof of a building, subject to the provisions specified under Section 23730 of this Zoning Ordinance.

10. Telecommunication or wireless communication facilities located on an existing building or structure, subject to the provisions specified under Section 23810 of this Zoning Ordinance.

C. Uses permitted by special exception, pursuant to the provisions specified under Section 25070 of this Zoning Ordinance.

1. Adult use, subject to the provisions of Section 23020 of this Zoning Ordinance.

2. Farm-support business use as a business operation, subject to the provisions specified under Section 23260 of this Zoning Ordinance.

3. Residential accessory uses and structures for a non-conforming use, subject to the provisions specified under Sections 22030 and 23660.2 of this Zoning Ordinance.

4. Salvage yard, subject to the provisions specified under Section 23720 (Salvage Yard) of this Zoning Ordinance.

5. Satellite receiving and/or transmitting dish antenna with a diameter of less than six (6) feet that is located on the front façade of a building and/or located as a ground mounted structure, subject to the provisions specified under Section 23730 of this Zoning Ordinance.

6. Telecommunication or wireless communication facilities with a new support tower or structure, subject to the provisions specified under Section 23810 of this Zoning Ordinance.

D. Uses permitted by conditional use, pursuant to the provisions specified under Section 25080 of this Zoning Ordinance.

1. Alternative energy facilities as an accessory use, which may include manure digesters, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

2. Alternative energy facilities as a principal use, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, subject to the provisions specified under Section 23050.2 of this Zoning Ordinance.

3. Historic resource overlay uses and site improvements, subject to the provisions specified under Section 21050 of this Zoning Ordinance.

4. Regional impact development containing the permitted uses within the I-2 Zoning District, subject to the provisions specified under Section 23640 of this Zoning Ordinance.

5. Uses that are not specifically permitted by this Zoning Ordinance, subject to the provisions specified under Section 23850 of this Zoning Ordinance.

Section 12030: Area, Dimensional and Height Requirements

A. Unless otherwise specified, the following lot area requirements shall apply:

1. The minimum lot size per principal building or use shall be one (1) acres.

2. All uses shall be served by a public sanitary sewage disposal system and by a public water supply system (where available) or on-lot water supply system.

B. Lot width, building setback and dimensional requirements for a principal use.

1. The minimum lot width requirement for a permitted use shall be sixty-five (65) feet as measured at the street right-of-way line and one hundred (100) feet as measured at the front yard setback line.

2. The minimum front yard setback requirements shall be as follows:

a. The minimum building setback line shall be thirty (30) feet, as measured from the street right-of-way line.

b. For areas within the I-2 Zoning District where existing buildings are located closer to the street than is permitted by these regulations, a new building may be placed at the same setback distance as the adjacent buildings provided that it is located within two hundred (200) feet of the adjacent buildings.

c. For areas within the I-2 Zoning District, the minimum setback requirement shall not be less than sixty (60) feet, as measured from the centerline of the street, provided that the property across the street is located within the AG, R-1, R-2 and/or R-3 Zoning Districts.

3. The minimum side yard setback requirements shall be as follows:

a. The minimum side yard setback shall be fifteen (15) feet provided that the property is not located adjacent or adjoining to the AG, R-1, R-2 and/or R-3 Zoning District.

b. The minimum side yard setback shall be twenty-five (25) feet provided that the property is located adjacent or adjoining to the AG, R-1, R-2 and/or R-3 Zoning District.

c. The side yard requirement may be modified to allow adjoining uses to share off-street parking, loading and internal access drives or if the industrial lot adjoins a rail siding

4. The minimum rear yard setback requirements shall be as follows:

a. The minimum rear yard setback shall be forty (40) feet provided that the property is not located adjacent or adjoining to the AG, R-1, R-2 and/or R-3 Zoning District.

b. The minimum rear yard setback shall be sixty (60) feet provided that the property is located adjacent or adjoining to the AG, R-1, R-2 and/or R-3 Zoning Districts.

c. The rear yard requirement may be modified if the industrial lot adjoins a rail siding.

5. The maximum building and lot coverage requirements shall apply:

a. No more than sixty (60) percent of the lot shall be covered by buildings.

b. No more than seventy (70) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving.

c. If more than fifty (50) percent of the required off-street parking spaces are located behind the front yard setback line, the maximum lot or impervious coverage requirement may be increased to a total of seventy-five (75) percent of the lot.

C. Unless otherwise specified elsewhere within this Zoning Ordinance, all permitted accessory buildings or structures shall comply with the minimum setback requirements that are specified under Section 12030 of this Zoning Ordinance.

D. Unless otherwise specified by this Zoning Ordinance, the following height provisions shall apply to all permitted uses:

1. The maximum height of a building or structure occupied by a principal use shall be seventy (70) feet.

2. Taller buildings or structures are permitted, provided that an additional setback of two (2) feet is provided for every one (1) foot of height in excess of seventy (70) feet up to a maximum height of ninety- five (95) feet.

3. Principal buildings and structures for the exclusive use of agricultural operations and not for human occupancy shall not exceed sixty (60) feet in height.

Article 13: Reserved

Article 14: Business Park (BP) Zoning District

Section 14010: Purpose

A. To accommodate and to promote the development of employment centers and related uses in a well-planned and aesthetically pleasing manner that will enhance the well-being of those who work and live there, as well as the nearby residents and business owners within the community.

B. To provide design standards that will promote environmentally sensitive, attractive and functional development.

C. To accommodate uses that are related to, compatible with or supportive of the development and operation of business park uses.

D. To accommodate economically productive uses of land that will not preclude future development as a business park and related uses.

E. To maintain and implement policies, which have been established as part of the Comprehensive Plan.

Section 14020: Permitted Uses

A. Principal uses permitted by right.

1. Agricultural operation, subject to the provisions specified under Section 23030 of this Zoning Ordinance. The agricultural operation shall exclude concentrated animal feeding operations, concentrated animal operations, commercial produce operations and/or cervidae livestock operations.

2. Community center for residential development as a principal or accessory use, subject to the provisions specified under Section 23170 of this Zoning Ordinance.

3. Contractor storage yard, subject to the provisions specified under Section 23190 of this Zoning Ordinance

4. Convenience store, subject to the provisions specified under Section 23200 of this Zoning Ordinance.

5. Day care use, center or facility as a commercial use, for children or adults containing a minimum lot area of 20,000 square feet, subject to the provisions specified under Section 23220 of this Zoning Ordinance.

6. Dry cleaner and/or laundromat, subject to the provisions specified under Section 23230 of this Zoning Ordinance.

7. Emergency service facility, subject to the provisions specified under Section 23250 of this Zoning Ordinance.

8. Financial institution with or without drive-through service lanes, but no more than four (4) service lanes, subject to the provisions specified under Section 23280 of this Zoning Ordinance.

9. Forestry, subject to the provisions specified under Section 23290 of this Zoning Ordinance.

10. Garage to accommodate a commercial or public use, subject to Section 23310 of this Zoning Ordinance.

11. Grocery store, subject to the provisions specified under Section 23340 of this Zoning Ordinance.

12. Hospital, subject to the provisions specified under Section 23390 of this Zoning Ordinance.

13. Hotel and/or motel containing a maximum of four hundred (400) rooms or rental units, subject to the provisions that are specified under Section 23400 of this Zoning Ordinance.

14. Hotel and/or motel designated and occupied as an "extended stay hotel", subject to the provisions specified under Section 23400 of this Zoning Ordinance.

15. Laboratory, subject to the provisions specified under Section 23420 of this Zoning Ordinance.

16. Library, subject to the provisions specified under Section 23430 of this Zoning Ordinance.

17. Manufactured home park, subject to the provisions specified under Section 23440 of this Zoning Ordinance.

18. Manufacturing use containing building(s) that do not exceed four hundred thousand (400,000) square feet of gross floor area, subject to the provisions specified under Section 23450 of this Zoning Ordinance.

19. Medical, dental, vision care and/or counseling clinic, subject to the provisions specified under Section 23470 of this Zoning Ordinance.

20. Multi-family dwelling or development containing apartments and/or townhouses, which shall be arranged, designed and intended to be occupied primarily as a residence consisting of more that three (3) units, subject to the provisions specified under Sections 23490 and 23830 of this Zoning Ordinance.

21. Municipal use, subject to the provisions specified under Section 23500 of this Zoning Ordinance.

22. Museum, subject to the provisions specified under Section 23510 of this Zoning Ordinance.

23. Offices, subject to the provisions specified under Section 23540 of this Zoning Ordinance.

24. Parking compound, subject to the provisions contained under Section 23310 of this Zoning Ordinance.

25. Personal service facility containing a minimum lot area of twenty thousand (20,000) square feet, subject to the provisions specified under Section 23570 of this Zoning Ordinance.

26. Places of worship, subject to the provisions specified under Section 23580 of this Zoning Ordinance.

27. Principal uses permitted in combination, subject to the provisions specified under Section 23590 of this Zoning Ordinance.

28. Public utility building and/or structures, subject to the provisions specified under Section 23610 of this Zoning Ordinance.

29. Recreation that is classified as a commercial recreation use, subject to the provisions under Section 23620 of this Zoning Ordinance.

30. Recreation that is classified as a municipal use, subject to the provisions under Section 23620 of this Zoning Ordinance.

31. Recreation as a private or restrictive use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

32. Restaurant with or without drive-through service lanes, subject to the provisions under Section 23680 of this Zoning Ordinance.

33. Retail bakery or confectioner with or without a drive-through service lane, subject to the provisions specified under of Section 23690 of this Zoning Ordinance.

34. Retail sales with or without a drive-through service lane, subject to the provisions specified under Section 23700 of this Zoning Ordinance.

35. School that is classified as a commercial school, public school or a private school, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

36. School that is classified as a public or private school, subject to the provisions specified under Section 23740 of this Zoning Ordinance,

37. School that is classified as a vocational, mechanical and/or trade school, subject to the provisions specified under Section 23740 of this Zoning Ordinance

38. Self-storage facility, subject to the provisions specified under Section 23750 of this Zoning Ordinance.

39. Shopping center, subject to the provisions specified under Section 23770 of this Zoning Ordinance.

40. Student housing or dormitories, subject to the following criteria:

    a. The maximum number of student housing units shall not exceed 150 on any lot.

    b. A pedestrian and bicycle path system shall be provided that connects all principal uses within the school campus to adjoining properties and other non-motorized pathways.

    c. Pedestrian level lighting shall be installed along sidewalks and non-motorized pathways.

    d. All student housing units shall be located within the BP Zoning District.

    e. All student housing residences shall be certified, in writing, that it is affiliated with the educational facility and that all housing is for the sole use of students, spouses of students, or graduates within one (1) calendar year of graduation.

    f. The maximum limit of 150 student housing units shall not impact any other residential limits within the BP Zoning District.

41. Theater, subject to the provisions specified under Section 23820 of this Zoning Ordinance.

42. United States Post Office, such to the provisions specified by the state and federal agencies with jurisdiction.

43. Veterinary office, subject to the provisions specified under Section 23860 of this Zoning Ordinance.

44. Warehouse and/or distribution facility located on a lot containing a maximum of forty (40) acres and within a building(s) that does not exceed 500,000 cumulative square feet of gross floor area, subject to the provisions specified under Section 23870 of this Zoning Ordinance.

45. Wholesale and distribution facility located on a lot containing a maximum of forty (40) acres and within a building(s) that does not exceed 400,000 cumulative square feet of gross floor area, subject to the provisions specified under Section 23880 of this Zoning Ordinance.

B. Accessory uses permitted by right.

1. Accessory uses and structures that are customarily and clearly accessory to a permitted use are permitted by right, subject to the provisions of this Zoning Ordinance.

2. Accessory uses within developments containing multi-family dwelling units shall be limited to administrative offices, a community center, open space, private or restricted recreation uses, and/or other similar uses that directly benefit the residents of the multi-family development,

3. Alternative energy facilities as an accessory use, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

4. Alternative energy facilities designed and operated as a local service area facility, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

5. Car wash as an accessory use to a convenience store or grocery store, subject to the provisions specified under Section 23150 of this Zoning Ordinance.

6. Day care facility, subject to the provisions specified under Section 23220 of this Zoning Ordinance.

7. Farm-support business use as a limited impact business operation, subject to the provisions specified under Section 23260 of this Zoning Ordinance.

8. Home occupation use as a no-impact accessory residential use, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

9. Recreation facilities or recreation areas, active or passive, as an accessory or subordinate use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

10. Repair facility, subject to the provisions specified under Section 23650 of this Zoning Ordinance.

11. Residential accessory building or structure for a permitted use, subject to the provisions specified on Section 23660 of this Zoning Ordinance.

12. Restaurant and/or cafeteria, subject to the provisions specified under Section 23680 of this Zoning Ordinance.

13. Retail sales of goods and services produced on-site for a permitted manufacturing, warehouse, wholesale and/or distribution use, subject to the provisions specified under Section 23700 of this Zoning Ordinance.

14. Satellite receiving and/or transmitting dish antenna with a maximum diameter of six (6) feet, which may be mounted on the side or rear façade or roof of a building or ground mounted in the side or rear yard, subject to the provisions of Section 23730 of this Zoning Ordinance.

15. Telecommunication or wireless communication facilities located on an existing building or structure, subject to the provisions specified under Section 23810 of this Zoning Ordinance.

C. Uses permitted by special exception, pursuant to the provisions specified under Section 25070 of this Zoning Ordinance.

1. Home occupation as a minimal impact accessory use to a single-family detached dwelling, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

2. Restaurant use classified as a “Bring Your Own Bottle” or “BYOB”, subject to the provisions of Section 23680 of this Zoning Ordinance.

3. Roadside stand for the sale of agricultural or horticultural products, subject to the provisions specified under Section 23710 of this Zoning Ordinance.

4. Satellite receiving and/or transmitting dish antenna with a diameter of less than six (6) feet that is located on the front façade of a building and/or located as a ground mounted structure, subject to the provisions specified under Section 23730 of this Zoning Ordinance.

5. Telecommunication or wireless communication facilities with a new support tower or structure, subject to the provisions specified under Section 23810 of this Zoning Ordinance.

D. Uses permitted by conditional use, pursuant to the provisions specified under Section 25080 of this Zoning Ordinance.

1. Alternative energy facilities as a principal use, which may include geothermal heat pumps, solar energy systems, wind turbines, wind energy facilities or wood-fired boilers, subject to the provisions specified under Section 23050.2 of this Zoning Ordinance.

2. Convention center, subject to the provisions specified under Section 23210 of this Zoning Ordinance.

3. Historic resource overlay uses and site improvements, subject to the provisions specified under Section 21050 of this Zoning Ordinance.

4. Regional impact development containing the permitted uses within the BP Zoning District, subject to the provisions specified under Section 23640 of this Zoning Ordinance.

Section 14030: Area, Dimensional and Height Requirements

A. Unless otherwise specified by this Zoning Ordinance, the following lot size requirements shall apply:

1. Unless otherwise specified by this Zoning Ordinance, the minimum lot area for all permitted uses shall be twenty thousand (20,000) square feet.

2. All uses shall be served by a public sanitary sewage disposal system and by a public water supply system.

B. Lot width, building setback and dimensional requirements.

1. The minimum lot width shall be sixty-five (65) feet as measured at the street right-of-way line and one hundred (100) feet as measured at the front yard setback line.

2. The minimum lot depth shall be one hundred (100) feet

3. Unless otherwise specified, the minimum front yard setback requirements shall be as follows:

a. The minimum building setback line shall be thirty (30) feet, as measured from the street right-of-way line.

b. Where existing buildings are located closer to the street than is permitted by these regulations, a new building may be placed at the same setback distance as the adjacent buildings provided that it is located within two hundred (200) feet of the adjacent buildings.

c. For areas within the BP Zoning District, the minimum setback requirement shall not be less than sixty (60) feet, as measured from the centerline of the street, provided that the property across the street is located within the AG, R-1, R-2 and/or R-3 Zoning Districts.

4. The minimum side yard setback requirements shall be ten (10) feet, provided, that the requirement may be waived to allow adjoining uses to share off-street parking, loading and internal access drives.

5. The minimum rear yard setback requirements shall be the minimum rear yard setback requirement shall be thirty (30) feet, provided, that the requirement may be waived to allow adjoining uses to share off-street parking, loading and internal access drives.

6. Unless otherwise specified elsewhere within this Zoning Ordinance, all permitted accessory buildings and structures shall comply with the minimum setback requirements specified under Section 14030 of this Zoning Ordinance.

C. Maximum building and lot coverage requirements.

1. No more than sixty (60) percent of the lot shall be covered with buildings.

2. No more than seventy-five (75) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable pavement.

3. If more than fifty (50) percent of the required off-street parking spaces are located behind the front building line, the maximum lot or impervious coverage requirement may be increased to a total of eighty (80) percent of the lot. In order to utilize this increased amount of impervious coverage, landowner shall provide landscaping between the right of way line and the front yard setback or parking lot as the case may be.

D. Height requirements. Unless otherwise specified by this Zoning Ordinance, the permitted uses contained within the BP Zoning District shall comply with the following height requirements:

1. The maximum height of a building or structure occupied by a principal use shall be seventy (70) feet.

2. Taller buildings or structures are permitted, provided that an additional setback of two (2) feet is provided for every one (1) foot of height in excess of seventy (70) feet up to a maximum height of ninety- five (95) feet.

3. Principal buildings and structures for the exclusive use of agricultural operations and not for human occupancy shall not exceed sixty (60) feet in height.

Article 15: Mixed Use (MU) Zoning District

Section 15010: Purpose

A. To accommodate and to promote the grouping of residential, commercial, office, and recreational uses at suitable suburban locations where such uses will complement and support the other uses within the development.

B. To accommodate existing areas of mixed residential and non-residential development and to promote their continued viability.

C. To serve as a transitional district between residential areas and non-residential zoning districts.

D. To provide design standards to assure an attractive community for residents in and around the district as well as a pleasant environment for those who work within the district

E. To maintain and implement growth boundary policies, which have been established as part of the Comprehensive Plan.

Section 15020: Permitted Uses

A. Principal uses permitted by right.

1. Agricultural operation, subject to the provisions specified under Section 23030 of this Zoning Ordinance. The agricultural operation shall exclude concentrated animal feeding operations, concentrated animal operations, commercial produce operations, hydroponics and/or cervidae livestock operations.

2. Automobile repair facility located and permitted as an existing automobile repair facility, subject to the provisions specified under Section 23080 of this Zoning Ordinance.

3. Bed and breakfast establishment, as a principal or accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance.

4. Day care facility as a commercial use, subject to the provisions specified under Section 23220 of this Zoning Ordinance.

5. Dry cleaner and/or laundromat, subject to the provisions specified under Section 23230 of this Zoning Ordinance.

6. Emergency service facility, subject to the provisions specified under Section 23250 of this Zoning Ordinance.

7. Forestry, subject to the provisions specified under Section 23290 of this Zoning Ordinance.

8. Funeral home, subject to the provisions under Section 23300 of this Zoning Ordinance.

9. Grocery store, subject to the provisions specified under Section 23340 of this Zoning Ordinance.

10. Heavy equipment sales, service and repair facility located and permitted as an existing heavy equipment facility, subject to the provisions specified under Section 23350 of this Zoning Ordinance.

11. Library, subject to the provisions specified under Section 23430 of this Zoning Ordinance.

12. Medical, dental, vision care and/or counseling clinic, subject to the provisions specified under of Section 23470 of this Zoning Ordinance.

13. Multi-family dwellings containing apartments, subject to the provisions specified under Section 23490 of this Zoning Ordinance.

14. Municipal use, subject to the provisions specified under of Section 23500 of this Zoning Ordinance.

15. Museum, subject to the provisions specified under of Section 23510 of this Zoning Ordinance.

16. Office uses, subject to the provisions specified under of Section 23540 of this Zoning Ordinance.

17. Personal service facility containing a maximum of 5,000 square feet of gross floor area with no drive-through service lanes, subject to the provisions specified under of Section 23570 of this Zoning Ordinance.

18. Places of worship, subject to the provisions specified under Section 23580 of this Zoning Ordinance.

19. Principal uses permitted in combination with other uses, subject to the provisions specified under Section 23590 of this Zoning Ordinance.

20. Recreation use that is classified as a municipal use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

21. Recreation use that is classified as a private or restricted use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

22. Restaurant with no drive-through service lanes, subject to the provisions specified under Section 23680 of this Zoning Ordinance.

23. Retail bakery or confectioner containing no drive-through service lanes, subject to the provisions specified under Section 23690 of this Zoning Ordinance.

24. Retail sales that do not contain drive-through service lanes, subject to the provisions specified under Section 23700 of this Zoning Ordinance.

25. School that is classified as a commercial school, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

26. School that is classified as a public or private school, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

27. Single-family detached dwellings, which are not initially or cumulatively developed as a regional impact development.

28. Single-family semi-detached dwellings, which are not initially or cumulatively developed as a regional impact development.

29. Tourist home, as a principal or accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance.

30. Townhouses, which are not initially or cumulatively developed as a regional impact development, subject to the provisions specified under Section 23830 of this Zoning Ordinance.

31. Veterinary office, subject to the provisions specified under Section 23860 of this Zoning Ordinance.

B. Accessory uses permitted by right.

1. Accessory uses and structures that are customarily and clearly accessory to a permitted use are permitted by right, subject to the provisions of this Zoning Ordinance.

2. Alternative energy facilities as an accessory use, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

3. Apartment as an accessory use to a permitted non-residential use, subject to the provisions specified under Section 23070 of this Zoning Ordinance.

4. Apartment as an accessory use to a permitted single-family detached dwelling, subject to the provisions specified under Section 23070 of this Zoning Ordinance.

5. ECHO housing as an accessory use to a permitted single-family detached dwelling, subject to the provisions specified under Section 23240 of this Zoning Ordinance.

6. Home occupation use as a no-impact accessory residential use, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

7. Residential accessory uses and structures for a permitted residential use, subject to the provisions specified under Sections 22030 and Section 23660 of this Zoning Ordinance.

8. Satellite receiving and/or transmitting dish antenna with a maximum diameter of three (3) feet, which may be mounted on the side or rear façade or roof of a building or ground mounted in the side or rear yard, subject to the provisions of Section 23730 of this Zoning Ordinance.

9. Telecommunication or wireless communication facilities located on an existing building or structure, subject to the provisions specified under Section 23810 of this Zoning Ordinance.

C. Uses permitted by special exception, pursuant to the provisions specified under Section 25070 of this Zoning Ordinance.

1. Automobile repair facility located and permitted as a new or proposed automobile repair facility, subject to the provisions specified under Section 23080 of this Zoning Ordinance.

2. Farm-support business use as a business operation, subject to the provisions specified under Section 23260 of this Zoning Ordinance.

3. Heavy equipment sales, service and repair facility located and permitted as a new or proposed heavy equipment facility, subject to the provisions specified under Section 23350 of this Zoning Ordinance.

4. Home occupation as a minimal impact accessory use to a single-family detached dwelling, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

5. Public utility building and/or structures, subject to the provisions specified under Section 23610 of this Zoning Ordinance.

6. Residential retirement and/or care facility, subject to the provisions specified under Section 23670 of this Zoning Ordinance.

7. Restaurant use classified as a "Bring Your Own Bottle" or "BYOB", subject to the provisions of Section 23680 of this Zoning Ordinance.

8. Satellite receiving and/or transmitting dish antenna with a diameter of less than three (3) feet that is located on the front façade of a building and/or located as a ground mounted structure, subject to the provisions specified under Section 23730 of this Zoning Ordinance.

9. Social club and/or fraternal lodge, subject to the provisions of Section 23790 of this Zoning Ordinance

D. Uses permitted by conditional use, pursuant to the provisions specified under Section 25080 of this Zoning Ordinance.

1. Historic resource overlay uses and site improvements, subject to the provisions specified under Section 21050 (Historic Overlay District) of this Zoning Ordinance.

2. Regional impact development containing the permitted uses within the MU Zoning District, subject to the provisions specified under Section 23640 of this Zoning Ordinance.

Section 15030: Area, Dimensional and Height Requirements

A. Unless otherwise specified, the following lot area requirements shall apply:

1. The minimum lot size for a single-family detached dwelling shall be 10,000 square feet.

2. The minimum lot size for a single-family semi-detached dwelling shall be 5,000 square feet per unit.

3. The minimum lot size for a townhouse shall be 3,500 square feet per unit.

4. The minimum lot size for multi-family dwellings shall be 3,000 square feet per unit.

5. Unless otherwise specified by other provisions contained within Article 23 of this Zoning Ordinance, the minimum lot area for all permitted non-residential uses shall be 10,000 square feet.

6. All uses within the MU Zoning District shall be served by public sanitary sewage disposal facilities and by public water supply facilities (where available) or on-lot water supply facilities.

B. Lot width, building setback and dimensional requirements for a principal use.

1. The minimum lot width requirements shall be as follows:

a. A lot containing a single-family detached dwelling shall have a minimum lot width of fifty (50) feet as measured at the street right-of-way line and front yard setback line.

b. A lot containing a single-family semi-detached dwelling shall have a minimum lot width of forty (40) feet as measured at the street right-of-way line and the front yard setback line.

c. A lot containing a townhouse shall have a minimum lot width of twenty-five (25) feet as measured at the street right-of-way line and the front yard setback line.

d. A lot containing a multi-family dwelling shall have a minimum lot width of one hundred (100) feet as measured at the street right-of-way line and front yard setback line.

e. A lot containing a permitted non-residential building and use shall have a minimum lot width of seventy-five (75) feet as measured at the street right-of-way line and front yard setback line.

2. The minimum and maximum front yard setback requirements shall be as follows:

a. The minimum front yard setback requirement shall be ten (10) feet, as measured from the street right-of-way line.

b. Unless otherwise required to accommodate the permitted use, the maximum front yard setback shall be twenty-five (25) feet, as measured from the street right-of-way line.

c. No off-street parking area for a commercial use shall be permitted within the front yard setback

3. The minimum side yard setback requirements shall be as follows:

a. A lot containing a single-family detached dwelling shall have a side yard setback of five (5) feet.

b. A lot containing a single-family semi-detached dwelling shall have a side yard setback of five (5) feet, as measured from the exterior side.

c. Townhouses shall have a side yard setback of ten (10) feet as measured from the end units.

d. Multi-family dwellings with four (4) or fewer units shall have a side yard setback of ten (10) feet, as measured from the end or external units.

e. Multi-family dwellings with more than four (4) units shall have a side yard setback of twenty (20) feet, as measured from the end or external units.

f. Non-residential buildings or structures shall have a side yard setback of fifteen (15) feet.

4. The minimum rear yard setback requirements shall be as follows:

a. Unless otherwise specified by this Zoning Ordinance, all permitted principal uses within the MU Zoning District shall have a rear yard setback of ten (10) feet.

b. Multi-family dwellings with more than four (4) units shall have a rear yard setback of twenty (20) feet, as measured from the end or external units.

c. Non-residential buildings or structures shall have a side yard setback of twenty (20) feet.

5. Townhouse units shall comply with the building design and internal separation distance requirements specified under Section 23830 of this Zoning Ordinance.

6. Multi-family dwellings shall comply with the building design and internal separation distance requirements specified under Section 23490 of this Zoning Ordinance.

7. The maximum building and lot coverage requirements shall apply:

   a. No more than fifty (50) percent of the lot shall be covered by buildings.

   b. No more than sixty (60) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving.

C. Unless otherwise specified elsewhere within this Zoning Ordinance, all permitted accessory buildings and structures shall comply with the minimum setback requirements specified under Section 15030 of this Zoning Ordinance.

D. Setback and dimensional requirements for a residential accessory use.

1. The following regulations shall apply to unattached buildings for accessory uses that are one hundred and twenty (120) square feet or less of gross floor area:

   a. The minimum front yard setback line from all streets shall be fifteen (15) feet to the rear of the front façade of the principal building.

   b. The minimum side yard setback shall be three (3) feet.

   c. The minimum rear yard setback shall be three (3) feet.

2. The following regulations shall apply to unattached buildings for accessory uses that exceed one hundred and twenty (120) square feet of gross floor area:

   a. The minimum front yard setback line from all streets shall be fifteen (15) feet to the rear of the front façade of the principal building.

   b. The minimum side yard setback shall be five (5) feet.

   c. The minimum rear yard setback shall be five (5) feet.

E. The maximum height provisions shall apply to principal buildings or structures:

1. The maximum height of a building or structure occupied by a principal use shall be fifty (50 feet.

2. Taller buildings or structures are permitted, provided that an additional setback of two (2) feet is provided for every one (1) foot of height in excess of fifty (50) feet up to a maximum height of sixty (60) feet.

F. The maximum height provisions shall apply to accessory buildings or structures:

1. The maximum height of a non-residential accessory building or structure shall be twenty-five (25) feet.

2. The maximum height shall be twelve (12) feet for a residential accessory building that is one hundred and twenty (120) square feet or less of gross floor area.

3. The maximum height shall be twenty-five (25) feet for a residential accessory building that exceeds one hundred and twenty (120) square feet of gross floor area.

Article 16: Reserved

Article 17: Bird - In - Hand (BH) Zoning District

Section 17010: Purpose

A. To accommodate and to support the continued viability of the traditional villages as a village and tourist center within East Lampeter Township.

B. To provide for the expansion of village commercial and tourism uses in a manner that is consistent with the current physical pattern of structures, roads, and uses.

C. To enable the development and revitalization of mixed-uses within the context of the existing community.

D. To maintain and implement growth boundary policies, which have been established as part of the Comprehensive Plan.

Section 17020: Permitted Uses

A. The following principal uses shall be permitted by right, provided that the design guidelines are applied in accordance with Section 17040 of this Zoning Ordinance.

1. Agricultural operation, subject to the provisions specified under Section 23030 of this Zoning Ordinance. The agricultural operation shall exclude concentrated animal feeding operations, concentrated animal operations, commercial produce operations, hydroponics and/or cervidae livestock operations.

2. Bed and breakfast establishment, as a principal or accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance.

3. Day care facility as a commercial use, subject to the provisions specified under Section 23220 of this Zoning Ordinance.

4. Financial institution containing no more than two (2) drive-through service lane, subject to the provisions specified under Section 23280 of this Zoning Ordinance.

5. Forestry, subject to the provisions specified under Section 23290 of this Zoning Ordinance.

6. Funeral home, subject to the provisions specified under Section 23300 of this Zoning Ordinance.

7. Greenhouse as a commercial use, subject to the provisions specified under Section 23330 of this Zoning Ordinance.

8. Grocery store, subject to the provisions specified under Section 23340 of this Zoning Ordinance.

9. Hotel and/or motel containing a maximum of one hundred (100) rental units or rooms, subject to the provisions specified under Section 23400 of this Zoning Ordinance.

10. Library, subject to the provisions specified under Section 23430 of this Zoning Ordinance.

11. Manufacturing use located on a lot with a minimum of two (2) acres and maximum of ten (10) acres, which shall be contained within building(s) that do not exceed thirty thousand (30,000) square feet of cumulative gross floor area. The manufacturing use shall comply with the supplemental regulations specified under Section 23450 of this Zoning Ordinance.

12. Medical, dental, vision care and/or counseling clinic, subject to the provisions specified under of Section 23470 of this Zoning Ordinance.

13. Museum, subject to the provisions specified under of Section 23510 of this Zoning Ordinance.

14. Offices, subject to the provisions specified under of Section 23540 of this Zoning Ordinance.

15. Personal service facility containing no drive-through service lanes, subject to the provisions specified under of Section 23570 of this Zoning Ordinance.

16. Places of worship, subject to the provisions specified under Section 23580 of this Zoning Ordinance.

17. Principal uses permitted in combination, subject to the provisions specified under Section 23590 of this Zoning Ordinance.

18. Recreation use that is classified as a municipal use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

19. Recreation use that is classified as a private or restricted recreation use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

20. Restaurant containing no drive-through service lanes, subject to the provisions specified under Section 23680 of this Zoning Ordinance.

21. Retail bakery or confectioner containing no drive-through service lanes, subject to the provisions specified under Section 23690 of this Zoning Ordinance.

22. Retail sales or craft store with subordinate manufacturing or assembly services, subject to the provisions specified under Section 23700 of this Zoning Ordinance.

23. Retail sales containing no drive-through service lanes, subject to the provisions specified under Section 23700 of this Zoning Ordinance.

24. School that is classified as a commercial school, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

25. School that is defined as a public or private school for students in kindergarten through 12th grade, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

26. Single-family detached dwellings, which are not initially or cumulatively developed as a regional impact development.

27. Single-family semi-detached dwellings, which are not initially or cumulatively developed as a regional impact development.

28. Theater, as a principal or accessory use, subject to the provisions specified under Section 23820 of this Zoning Ordinance.

29. Tourist home, as a principal or accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance.

30. United States Post Office, such to the provisions specified by the state and federal agencies with jurisdiction.

31. Veterinary office, subject to the provisions specified under Section 23860 of this Zoning Ordinance.

B. The following accessory uses shall be permitted by right, provided that the design guidelines are applied in accordance with Section 17040 of this Zoning Ordinance Accessory uses permitted by right.

1. Accessory uses and structures that are customarily and clearly accessory to a permitted use are permitted by right, subject to the provisions of this Zoning Ordinance.

2. Alternative energy facilities as an accessory use, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

3. Apartment as an accessory use to a permitted non-residential use, subject to the provisions specified under Section 23070 of this Zoning Ordinance.

4. Apartment as an accessory use to a permitted single-family detached dwelling, subject to the provisions specified under Section 23070 of this Zoning Ordinance.

5. ECHO housing as an accessory use to a permitted single-family detached dwelling, subject to the provisions specified under Section 23240 of this Zoning Ordinance.

6. Home occupation use as a no-impact accessory residential use, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

7. Horse barn for the keeping of horses for transportation for non-commercial purposes on less than ten (10) acres of land, subject to the provisions specified under Section 23380 of this Zoning Ordinance.

8. Residential accessory uses and structures for a permitted residential use, subject to the provisions specified under Sections 22030 and 23660 of this Zoning Ordinance.

9. Satellite receiving and/or transmitting dish antenna with a maximum diameter of three (3) feet, which may be mounted on the side or rear façade or roof of a building or ground mounted in the side or rear yard, subject to the provisions of Section 23730 of this Zoning Ordinance.

C. The following uses shall be permitted by special exception, provided that the design guidelines are applied and the provisions have been complied with in accordance with Sections 17040 and 25070 of this Zoning Ordinance.

1. Emergency services facility, subject to the provisions specified under Section 23250 of this Zoning Ordinance.

2. Farm-support business use as a business operation, subject to the provisions specified under Section 23260 of this Zoning Ordinance.

3. Farmers market, subject to the provisions specified under Section 23270 of this Zoning Ordinance.

4. Home occupation as a minimal impact accessory use to a single-family detached dwelling, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

5. Hotel and/or motel designated and occupied as an “extended stay hotel”, subject to the provisions specified under Section 23400 of this Zoning Ordinance.

6. Multi-family dwelling containing apartments as a principal use, subject to the provisions specified under Section 23490 of this Zoning Ordinance.

7. Municipal use, subject to the provisions specified under of Section 23500 of this Zoning Ordinance.

8. Public utility building and/or structures, subject to the provisions specified under Section 23610 of this Zoning Ordinance.

9. Restaurant use classified as a “Bring Your Own Bottle” or “BYOB”, subject to the provisions of Section 23680 of this Zoning Ordinance.

10. Satellite receiving and/or transmitting dish antenna with a diameter of less than three (3) feet that is located on the front façade of a building and/or located as a ground mounted structure, subject to the provisions specified under Section 23730 of this Zoning Ordinance.

11. Townhouses, which are not initially or cumulatively developed as a regional impact development, subject to the provisions specified under Section 23830 of this Zoning Ordinance.

D. The following uses shall be permitted by conditional use, provided that the design guidelines are applied and the provisions have been complied with in accordance with Sections 17040 and 25080 of this Zoning Ordinance.

1. Historic resources overlay uses and site improvements, subject to the provisions specified under Section 21050 of this Zoning Ordinance.

2. Regional impact development containing the permitted uses within the BH Zoning District, subject to the provisions specified under Section 23640 of this Zoning Ordinance.

3. All permitted uses within the BP Zoning District, which have not been planned and designed in accordance with the provisions specified under Section 17040 of this Zoning Ordinance.

Section 17030: Area, Dimensional and Height Requirements

A. Lot size requirements.

1. The minimum lot area for a single-family detached dwelling shall be 7,500 square feet per dwelling unit, provided that the lot is serviced by public sanitary sewage disposal facilities and by public water supply facilities. The maximum lot size for a single-family detached dwelling shall be 12,000 square feet.

2. The minimum lot area for a single-family detached dwelling shall be 12,000 square feet per dwelling unit, provided that the lot is serviced by public sanitary sewage disposal facilities and by on-lot water supply facilities. The maximum lot size shall be 40,000 square feet

3. The minimum lot size for a single-family semi-detached dwelling shall be 5,000 square feet per unit.

4. The minimum lot size for a townhouse shall be 3,500 square feet per unit on a lot containing a minimum of 12,000 square feet.

5. The minimum lot size for multi-family dwellings shall be 3,000 square feet per unit on a lot containing a minimum of 12,000 square feet.

6. The minimum lot area for all permitted non-residential uses within the BH Zoning District shall be 10,000 square feet provided that the lot is serviced by public sanitary sewage disposal facilities and by public or on-lot water supply facilities.

7. All uses within the BH Zoning District shall be served by public sanitary sewage disposal facilities and by public water supply facilities (where available) or on-lot water supply facilities.

B. Lot width, building setback and dimensional requirements for a principal use.

1. . The minimum lot width requirements shall be as follows:

a. A lot containing a single-family detached dwelling shall have a minimum lot width of fifty (50) feet as measured at the street right-of-way line and front yard setback line.

b. A lot containing a single-family semi-detached dwelling shall have a minimum lot width of forty (40) feet as measured at the street right-of-way line and the front yard setback line.

c. A lot containing a townhouse shall have a minimum lot width of twenty-five (25) feet as measured at the street right-of-way line and the front yard setback line.

d. A lot containing a multi-family dwelling shall have a minimum lot width of thirty-five (35) feet as measured at the street right-of-way line and front yard setback line.

e. A lot containing a permitted non-residential building and use shall have a minimum lot width of fifty (50) feet as measured at the street right-of-way line and front yard setback line.

2. The front yard setback requirements shall be as follows:

a. The minimum setback requirement shall be ten (10) feet, as measured from the street right-of-way line.

b. The maximum setback requirement shall be twenty-five (25) feet, as measured from the street right-of-way line

3. The minimum side yard setback requirement shall be as follows:

    a. A lot containing a single-family detached dwelling shall have a side yard setback of three (3) feet.

    b. A lot containing a single-family semi-detached dwelling shall have a side yard setback of three (3) feet, as measured from the exterior side.

    c. Townhouses shall have a side yard setback of five (5) feet as measured from the end units.

    d. Multi-family dwellings with four (4) or fewer units shall have a side yard setback of three (3) feet as measured from the end or external units.

    e. Multi-family dwellings with more than four (4) units shall have a side yard setback of five (5) feet as measured from the end or external units.

    f. Non-residential buildings or structures shall have a side yard setback of five (5) feet.

4. Unless otherwise specified by this Zoning Ordinance, the minimum rear yard setback requirement shall be ten (10) feet.

5. Townhouse units shall comply with the building design and internal separation distance requirements specified under Section 23830 of this Zoning Ordinance.

6. Multi-family dwellings shall comply with the building design and internal separation distance requirements specified under Section 23490 of this Zoning Ordinance.

7. The maximum building and lot coverage requirements shall apply:

    a. No more than sixty (60) percent of the lot shall be covered by buildings.

    b. No more than eighty (80) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving,.

    c. If more than seventy (70) percent of the required off-street parking spaces are located behind the front yard setback line, the maximum lot or impervious coverage requirement may be increased to a total of ninety (90) percent of the lot.

C. Setback and dimensional requirements for accessory buildings and uses.

1. The following regulations shall apply to unattached buildings for accessory uses that are one hundred and twenty (120) square feet or less of gross floor area:

    a. The minimum front yard setback line from all streets shall be five (5) feet to the rear of the front façade of the principal building.

    b. The minimum side yard setback shall be three (3) feet.

    c. The minimum rear yard setback shall be three (3) feet.

2. The following regulations shall apply to unattached buildings for accessory uses that exceed one hundred and twenty (120) square feet of gross floor area:

    a. The minimum front yard setback line from all streets shall be ten (10) feet to the rear of the front façade of the principal building.

    b. The minimum side yard setback shall be three (3) feet.

c. The minimum rear yard setback shall be five (5) feet.

D. Unless otherwise permitted under the provisions of this Zoning Ordinance, the maximum height provisions shall apply to principal buildings or structures:

1. The maximum height of a building or structure occupied by a principal use shall be forty (40) feet.

2. Taller buildings or structures are permitted, provided that an additional setback of two (2) feet is provided for every one (1) foot of height in excess of forty (40) feet up to a maximum height of fifty (50) feet.

E. The maximum height provisions shall apply to accessory buildings or structures:

1. The maximum height of a non-residential accessory building or structure shall be twenty-five (25) feet.

2. The maximum height shall be twelve (12) feet for a residential accessory building that is one hundred and twenty (120) square feet or less of gross floor area.

3. The maximum height shall be twenty-five (25) feet for a residential accessory building that exceeds one hundred and twenty (120) square feet of gross floor area.

Section 17040: Design Guidelines for the BH Zoning District

A. The Design Guidelines for the BH Zoning District have been adopted by resolution by East Lampeter Township and included as part of Appendix B of this Zoning Ordinance.

B. All applications for subdivision, land development or site improvements within the BH Zoning District shall apply the design guidelines to the property being subdivided or developed.

C. Any significant deviations or modifications to the design guidelines may be permitted by the Board of Supervisors as part of a conditional use application.

Article 18: Village General (VG) Zoning District

Section 18010: Purpose

A. To accommodate and to promote the grouping of residential, commercial, office, and recreational uses at suitable suburban locations where such uses will complement and support the other uses within the development.

B. To accommodate existing areas of mixed residential and non-residential development and to promote their continued viability.

C. To serve as a transitional district between residential areas and non-residential zoning districts.

D. To provide design standards to assure an attractive community for residents in and around the district as well as a pleasant environment for those who work within the district

E. To maintain and implement growth boundary policies, which have been established as part of the Comprehensive Plan.

Section 18020: Permitted Uses

A. Principal uses permitted by right.

1. Agricultural operation, subject to the provisions specified under Section 23030 of this Zoning Ordinance. The agricultural operation shall exclude concentrated animal feeding operations, concentrated animal operations, commercial produce operations and/or cervidae livestock operations.

2. Bed and breakfast establishment, as a principal or accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance.

3. Day care facility as a commercial use, subject to the provisions specified under Section 23220 of this Zoning Ordinance.

4. Dry cleaner and/or laundromat with no drive-through service lanes, subject to the provisions specified under Section 23230 of this Zoning Ordinance.

5. Financial institution with no more than two (2) drive-through service lane, subject to the provisions specified under Section 23280 of this Zoning Ordinance.

6. Forestry, subject to the provisions specified under Section 23290 of this Zoning Ordinance.

7. Funeral home, subject to the provisions specified under Section 23300 of this Zoning Ordinance.

8. Greenhouse as a commercial use, subject to the provisions specified under Section 23330 of this Zoning Ordinance.

9. Grocery store, subject to the provisions specified under Section 23340 of this Zoning Ordinance.

10. Home improvement and/or building supply store, subject to the provisions specified under Section 23360 of this Zoning Ordinance.

11. Hotel and/or motel containing a maximum of seventy-five (75) rental units or rooms, subject to the provisions specified under Section 23400 of this Zoning Ordinance.

12. Library, subject to the provisions specified under Section 23430 of this Zoning Ordinance.

13. Manufacturing use located on a lot with a minimum of two (2) acres and maximum of ten (10) acres, which shall be contained within building(s) that do not exceed thirty thousand (30,000) square feet of cumulative

gross floor area. The manufacturing use shall comply with the supplemental regulations specified under Section 23450 of this Zoning Ordinance.

14. Medical, dental, vision care and/or counseling clinic, subject to the provisions specified under of Section 23470 of this Zoning Ordinance.

15. Museum, subject to the provisions specified under of Section 23510 of this Zoning Ordinance.

16. Nursery as a principal or accessory use, subject to the provisions specified under Section 23520 of this Zoning Ordinance.

17. Offices, subject to the provisions specified under of Section 23540 of this Zoning Ordinance.

18. Personal service facility containing a maximum of 5,000 square feet in gross floor area and with no drive-through service lanes, subject to the provisions specified under of Section 23570 of this Zoning Ordinance.

19. Places of worship, subject to the provisions specified under Section 23580 of this Zoning Ordinance.

20. Principal uses permitted in combination with other uses, subject to the provisions specified under Section 23590 of this Zoning Ordinance.

21. Recreation use that is classified as a municipal use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

22. Recreation use that is classified as a private or restricted use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

23. Restaurant with no drive-through service lanes, subject to the provisions specified under Section 23680 of this Zoning Ordinance.

24. Retail bakery or confectioner containing no drive-through service lanes, subject to the provisions specified under Section 23690 of this Zoning Ordinance.

25. Retail sales or craft store with subordinate manufacturing or assembly services, subject to the provisions specified under Section 23700 of this Zoning Ordinance.

26. Retail sales containing no drive-through service lanes, subject to the provisions specified under Section 23700 of this Zoning Ordinance.

27. School that is classified as a commercial school, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

28. School that is defined as a public or private school for students in kindergarten through 12th grade, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

29. Self-storage facility on a conforming lot with a maximum lot area of two (2) acres, subject to the provisions specified under Section 23750 of this Zoning Ordinance.

30. Single-family detached dwellings, which are not initially or cumulatively developed as a regional impact development.

31. Single-family semi-detached dwellings, which are not initially or cumulatively developed as a regional impact development.

32. Tourist home, as a principal or accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance.

33. United States Post Office, such to the provisions specified by the state and federal agencies with jurisdiction.

34. Veterinary office, subject to the provisions specified under Section 23860 of this Zoning Ordinance.

B. Accessory uses permitted by right.

1. Accessory uses and structures that are customarily and clearly accessory to a permitted use are permitted by right, subject to the provisions of this Zoning Ordinance.

2. Alternative energy facilities as an accessory use, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

3. Apartment as an accessory use to a permitted non-residential use, subject to the provisions specified under Section 23070 of this Zoning Ordinance.

4. Apartment as an accessory use to a permitted single-family detached dwelling, subject to the provisions specified under Section 23070 of this Zoning Ordinance.

5. ECHO housing as an accessory use to a permitted single-family detached dwelling, subject to the provisions specified under Section 23240 of this Zoning Ordinance.

6. Home occupation use as a no-impact accessory residential use, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

7. Horse barn for the keeping of horses for transportation for non-commercial purposes on less than ten (10) acres of land, subject to the provisions specified under Section 23380 of this Zoning Ordinance.

8. Residential accessory uses and structures for a permitted residential use, subject to the provisions specified under Sections 22030 and Section 23660 of this Zoning Ordinance

9. Satellite receiving and/or transmitting dish antenna with a maximum diameter of three (3) feet, which may be mounted on the side or rear façade or roof of a building or ground mounted in the side or rear yard, subject to the provisions of Section 23730 of this Zoning Ordinance.

C. Uses permitted by special exception, pursuant to the provisions specified under Section 25070 of this Zoning Ordinance.

1. Automobile repair facility located and contained within a conforming building, subject to the provisions specified under Section 23080 of this Zoning Ordinance.

2. Emergency service facility, subject to the provisions specified under Section 23250 of this Zoning Ordinance.

3. Farm-support business use as a business operation, subject to the provisions specified under Section 23260 of this Zoning Ordinance.

4. Farmers market, subject to the provisions specified under Section 23270 of this Zoning Ordinance.

5. Heavy equipment sales, service and repair facility located and contained within a conforming building, subject to the provisions specified under Section 23350 of this Zoning Ordinance.

6. Home occupation as a minimal impact accessory use to a single-family detached dwelling, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

7. Hotel and/or motel designated and occupied as an “extended stay hotel”, subject to the provisions specified under Section 23400 of this Zoning Ordinance.

8. Multi-family dwellings, subject to the provisions specified under Section 23490 of this Zoning Ordinance.

9. Municipal use, subject to the provisions specified under of Section 23500 of this Zoning Ordinance.

10. Public utility building and/or structures, subject to the provisions specified under Section 23610 of this Zoning Ordinance.

11. Restaurant use classified as a "Bring Your Own Bottle" or "BYOB", subject to the provisions of Section 23680 of this Zoning Ordinance.

12. Satellite receiving and/or transmitting dish antenna with a diameter of less than three (3) feet that is located on the front façade of a building and/or located as a ground mounted structure, subject to the provisions specified under Section 23730 of this Zoning Ordinance.

13. Townhouses, which are not initially or cumulatively developed as a regional impact development, subject to the provisions specified under Section 23830 of this Zoning Ordinance.

D. Uses permitted by conditional use, pursuant to the provisions specified under Section 25080 of this Zoning Ordinance.

1. Historic resource overlay uses and site improvements, subject to the provisions specified under Section 21050 (Historic Overlay District) of this Zoning Ordinance.

2. Regional impact development containing the permitted uses within the VG Zoning District, subject to the provisions specified under Section 23640 of this Zoning Ordinance.

Section 18030: Area, Dimensional and Height Requirements

A. Lot size requirements.

1. The minimum lot area for a single-family detached dwelling shall be 7,500 square feet per dwelling unit, provided that the lot is serviced by public sanitary sewage disposal facilities and by public water supply facilities.

2. The minimum lot area for a single-family detached dwelling shall be 12,000 square feet per dwelling unit, provided that the lot is serviced by public sanitary sewage disposal facilities and by on-lot water supply facilities.

3. The minimum lot size for a single-family semi-detached dwelling shall be 5,000 square feet per unit.

4. The minimum lot size for a townhouse shall be 3,500 square feet per unit.

5. The minimum lot size for multi-family dwellings shall be 3,000 square feet per unit.

6. The minimum lot area for all permitted non-residential uses within the VG Zoning District shall be 10,000 square feet provided that the lot is serviced by public sanitary sewage disposal facilities and by public or on-lot water supply facilities.

7. All uses within the VG Zoning District shall be served by public sanitary sewage disposal facilities and by public water supply facilities (where available) or on-lot water supply facilities.

B. Lot width, building setback and dimensional requirements for a principal use.

1. The minimum lot width requirements shall be as follows:

a. A lot containing a single-family detached dwelling shall have a minimum lot width of fifty (50) feet as measured at the street right-of-way line and front yard setback line.

b. A lot containing a single-family semi-detached dwelling shall have a minimum lot width of forty (40) feet as measured at the street right-of-way line and the front yard setback line.

c. A lot containing a townhouse shall have a minimum lot width of twenty-five (25) feet as measured at the street right-of-way line and the front yard setback line.

d. A lot containing a multi-family dwelling shall have a minimum lot width of one hundred (100) feet as measured at the street right-of-way line and front yard setback line.

e. A lot containing a permitted non-residential building and use shall have a minimum lot width of seventy-five (75) feet as measured at the street right-of-way line and front yard setback line.

2. The minimum and maximum front yard setback requirements shall be as follows:

a. The minimum front yard setback requirement shall be ten (10) feet, as measured from the street right-of-way line.

b. The maximum front yard setback requirement shall be twenty-five (25) feet, as measured from the street right-of-way line.

c. No off-street parking area for a commercial use shall be permitted within the front yard setback.

3. The minimum side yard setback requirement shall be as follows.

a. A lot containing a single-family detached dwelling shall have a side yard setback of five (5) feet.

b. A lot containing a single-family semi-detached dwelling shall have a side yard setback of five (5) feet, as measured from the exterior side.

c. Townhouses shall have a side yard setback of ten (10) feet as measured from the end units.

d. Multi-family dwellings with four (4) or fewer units shall have a side yard setback of ten (10) feet, as measured from the end or external units.

e. Multi-family dwellings with more than four (4) units shall have a side yard setback of twenty (20) feet, as measured from the end or external units.

f. Non-residential buildings or structures shall have a side yard setback of fifteen (15) feet.

4. The minimum rear yard setback requirement shall be as follows:

a. Unless otherwise specified by this Zoning Ordinance, all permitted principal uses within the VG Zoning District shall have a rear yard setback of ten (10) feet.

b. Multi-family and townhouse dwellings with more than four (4) units shall have a rear yard setback of twenty (20) feet.

c. All permitted non-residential uses shall have a rear yard setback of twenty (20) feet.

5. The maximum building and lot coverage requirements shall apply:

a. No more than sixty (60) percent of the lot shall be covered by buildings.

b. No more than seventy (70) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving.

c. If more than fifty (50) percent of the required off-street parking spaces are located behind the front yard setback line, the maximum lot or impervious coverage requirement may be increased to a total of eighty (80) percent of the lot.

C. Setback and dimensional requirements for an accessory use.

1. The following regulations shall apply to unattached buildings for accessory uses that are one hundred and twenty (120) square feet or less of gross floor area:

a. The minimum front yard setback line from all streets shall be fifteen (15) feet to the rear of the front façade of the principal building.

b. The minimum side yard setback shall be three (3) feet.

c. The minimum rear yard setback shall be three (3) feet.

2. The following regulations shall apply to unattached buildings for accessory uses that exceed one hundred and twenty (120) square feet of gross floor area :

a. The minimum front yard setback line from all streets shall be fifteen (15) feet to the rear of the front façade of the principal building.

b. The minimum side yard setback shall be five (5) feet.

c. The minimum rear yard setback shall be five (5) feet.

D. Unless otherwise permitted of this Zoning Ordinance, the maximum height provisions shall apply to principal buildings or structures:

1. The maximum height of a building or structure occupied by a principal use shall be forty (40) feet.

2. Taller buildings or structures are permitted, provided that an additional setback of two (2) feet is provided for every one (1) foot of height in excess of forty (40) feet up to a maximum height of fifty (50) feet.

E. The maximum height provisions shall apply to accessory buildings or structures:

1. The maximum height of a non-residential accessory building or structure shall be twenty-five (25) feet.

2. The maximum height shall be twelve (12) feet for a residential accessory building that is one hundred and twenty (120) square feet or less of gross floor area.

3. The maximum height shall be twenty-five (25) feet for a residential accessory building that exceeds one hundred and twenty (120) square feet of gross floor area.

Article 19: Village Commercial (VC) Zoning District

Section 19010: Purpose

A. To accommodate and to support the continued viability of the traditional villages as minor commercial centers within East Lampeter Township.

B. To provide for the expansion of commercial uses within village areas in a manner that is consistent with the current physical pattern of structures, roads, and uses.

C. To enable the development of new, small-scale commercial operations within the context of the existing community.

D. To maintain and implement growth boundary policies, which have been established as part of the Comprehensive Plan.

Section 19020: Permitted Uses

A. Principal uses permitted by right.

1. Agricultural operation, subject to the provisions specified under Section 23030 of this Zoning Ordinance. The agricultural operation shall exclude concentrated animal feeding operations, concentrated animal operations, commercial produce operations and/or cervidae livestock operations.

2. Bed and breakfast establishment, as a principal or accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance.

3. Campgrounds, subject to the provisions specified under Section 23140 of this Zoning Ordinance.

4. Day care facility as a commercial use, subject to the provisions specified under Section 23220 of this Zoning Ordinance.

5. Dry cleaner and/or laundromat containing no drive-through service lanes, subject to the provisions specified under Section 23230 of this Zoning Ordinance.

6. Emergency service facility, subject to the provisions specified under Section 23250 of this Zoning Ordinance.

7. Financial institution containing no more than two (2) drive-through service lane, subject to the provisions specified under Section 23280 of this Zoning Ordinance.

8. Forestry, subject to the provisions specified under Section 23290 of this Zoning Ordinance.

9. Funeral home, subject to the provisions specified under Section 23300 of this Zoning Ordinance.

10. Greenhouse as a commercial use, subject to the provisions specified under Section 23330 of this Zoning Ordinance.

11. Grocery store, subject to the provisions specified under Section 23340 of this Zoning Ordinance.

12. Home improvement and/or building supply store, subject to the provisions specified under Section 23360 of this Zoning Ordinance.

13. Hotel and/or motel containing a maximum of one hundred (100) rental units or rooms, subject to the provisions specified under Section 23400 of this Zoning Ordinance.

14. Library, subject to the provisions specified under Section 23430 of this Zoning Ordinance.

15. Manufacturing use located on a lot with a minimum of two (2) acres and maximum of ten (10) acres, which shall be contained within building(s) that do not exceed thirty thousand (30,000) square feet of cumulative gross floor area. The manufacturing use shall comply with the supplemental regulations specified under Section 23450 of this Zoning Ordinance.

16. Medical, dental, vision care and/or counseling clinic, subject to the provisions specified under of Section 23470 of this Zoning Ordinance.

17. Museum, subject to the provisions specified under of Section 23510 of this Zoning Ordinance.

18. Nursery as a principal or accessory use, subject to the provisions specified under Section 23520 of this Zoning Ordinance.

19. Offices, subject to the provisions specified under of Section 23540 of this Zoning Ordinance.

20. Personal service facility containing no drive-through service lanes, subject to the provisions specified under of Section 23570 of this Zoning Ordinance.

21. Places of worship, subject to the provisions specified under Section 23580 of this Zoning Ordinance.

22. Principal uses permitted in combination with other uses, subject to the provisions specified under Section 23590 of this Zoning Ordinance.

23. Recreation use that is classified as a municipal use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

24. Recreation use that is classified as a restricted or private recreation use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

25. Restaurant containing no drive-through service lanes, subject to the provisions specified under Section 23680 of this Zoning Ordinance.

26. Retail bakery or confectioner containing no drive-through service lanes, subject to the provisions specified under Section 23690 of this Zoning Ordinance.

27. Retail sales or craft store with subordinate manufacturing or assembly services, subject to the provisions specified under Section 23700 of this Zoning Ordinance.

28. Retail sales containing no drive-through service lanes, subject to the provisions specified under Section 23700 of this Zoning Ordinance.

29. School that is classified as a commercial school, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

30. School that is defined as a public or private school for students in kindergarten through 12th grade, subject to the provisions specified under Section 23740 of this Zoning Ordinance.

31. Single-family detached dwellings, which are not initially or cumulatively developed as a regional impact development.

32. Single-family semi-detached dwellings, which are not initially or cumulatively developed as a regional impact development.

33. Tourist home, as a principal or accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance.

34. United States Post Office, such to the provisions specified by the state and federal agencies with jurisdiction.

35. Veterinary office, subject to the provisions specified under Section 23860 of this Zoning Ordinance.

B. Accessory uses permitted by right.

1. Accessory uses and structures that are customarily and clearly accessory to a permitted use are permitted by right, subject to the provisions of this Zoning Ordinance.

2. Alternative energy facilities as an accessory use, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

3. Apartment as an accessory use to a permitted non-residential use, subject to the provisions specified under Section 23070 of this Zoning Ordinance.

4. Apartment as an accessory use to a permitted single-family detached dwelling, subject to the provisions specified under Section 23070 of this Zoning Ordinance.

5. ECHO housing as an accessory use to a permitted single-family detached dwelling, subject to the provisions specified under Section 23240 of this Zoning Ordinance.

6. Home occupation use as a no-impact accessory residential use, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

7. Horse barn for the keeping of horses for transportation for non-commercial purposes on less than ten (10) acres of land, subject to the provisions specified under Section 23380 of this Zoning Ordinance.

8. Residential accessory uses and structures for a permitted residential use, subject to the provisions specified under Sections 22030 and 23660 of this Zoning Ordinance.

9. Satellite receiving and/or transmitting dish antenna with a maximum diameter of three (3) feet, which may be mounted on the side or rear façade or roof of a building or ground mounted in the side or rear yard, subject to the provisions of Section 23730 of this Zoning Ordinance.

C. Uses permitted by special exception, pursuant to the provisions specified under Section 25070 of this Zoning Ordinance.

1. Automobile repair and/or service station, subject to the provisions specified under Section 23080 of this Zoning Ordinance.

2. Farm-support business use as a business operation, subject to the provisions specified under Section 23260 of this Zoning Ordinance.

3. Farmers market, subject to the provisions specified under Section 23270 of this Zoning Ordinance.

4. Home occupation as a minimal impact accessory use to a single-family detached dwelling, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

5. Hotel and/or motel designated and occupied as an “extended stay hotel”, subject to the provisions specified under Section 23400 of this Zoning Ordinance.

6. Multi-family dwellings, subject to the provisions specified under Section 23490 of this Zoning Ordinance.

7. Municipal use, subject to the provisions specified under of Section 23500 of this Zoning Ordinance.

8. Public utility building and/or structures, subject to the provisions specified under Section 23610 of this Zoning Ordinance.

9. Restaurant use classified as a “Bring Your Own Bottle” or “BYOB”, subject to the provisions of Section 23680 of this Zoning Ordinance.

10. Satellite receiving and/or transmitting dish antenna with a diameter of less than three (3) feet that is located on the front façade of a building and/or located as a ground mounted structure, subject to the provisions specified under Section 23730 of this Zoning Ordinance.

11. Townhouses, which are not initially or cumulatively developed as a regional impact development, subject to the provisions specified under Section 23830 of this Zoning Ordinance.

D. Uses permitted by conditional use, pursuant to the provisions specified under Section 25080 of this Zoning Ordinance.

1. Historic resources overlay uses and site improvements, subject to the provisions specified under Section 21050 (Historic Overlay District) of this Zoning Ordinance.

2. Regional impact development containing the permitted uses within the VC Zoning District, subject to the provisions specified under Section 23640 of this Zoning Ordinance.

Section 19030: Area, Dimensional and Height Requirements

A. Lot size requirements.

1. The minimum lot area for a single-family detached dwelling shall be 7,500 square feet per dwelling unit, provided that the lot is serviced by public sanitary sewage disposal facilities and by public water supply facilities.

2. The minimum lot area for a single-family dwelling shall be 12,000 square feet per dwelling unit, provided that the lot is serviced by public sanitary sewage disposal facilities and on-lot water supply facilities.

3. The minimum lot size for a single-family semi-detached dwelling shall be 5,000 square feet per unit.

4. The minimum lot size for a townhouse shall be 3,500 square feet per unit.

5. The minimum lot size for multi-family dwellings shall be 3,000 square feet per unit.

6. The minimum lot area for all permitted non-residential uses within the VC Zoning District shall be 10,000 square feet provided that the lot is serviced by public sanitary sewage disposal facilities and by public or on-lot water supply facilities.

7. All uses within the VC Zoning District shall be served by public sanitary sewage disposal facilities and by public water supply facilities (where available) or on-lot water supply facilities.

B. Lot width, building setback and dimensional requirements for a principal use.

1. . The minimum lot width requirements shall be as follows:

a. A lot containing a single-family detached dwelling shall have a minimum lot width of fifty (50) feet as measured at the street right-of-way line and front yard setback line.

b. A lot containing a single-family semi-detached dwelling shall have a minimum lot width of forty (40) feet as measured at the street right-of-way line and the front yard setback line.

c. A lot containing a townhouse shall have a minimum lot width of twenty-five (25) feet as measured at the street right-of-way line and the front yard setback line.

d. A lot containing a multi-family dwelling shall have a minimum lot width of one hundred (100) feet as measured at the street right-of-way line and front yard setback line.

e. A lot containing a permitted non-residential building and use shall have a minimum lot width of seventy-five (75) feet as measured at the street right-of-way line and front yard setback line.

2. The minimum front yard setback requirements shall be as follows:

    a. The minimum front yard setback requirement shall be ten (10) feet, as measured from the street right-of-way line.

    b. The maximum front yard setback requirement shall be twenty-five (25) feet, as measured from the street right-of-way line.

    c. No off-street parking area for a commercial use shall be permitted within the front yard setback

3. The minimum side yard setback requirement shall be as follows:

    a. A lot containing a single-family detached dwelling shall have a side yard setback of five (5) feet.

    b. A lot containing a single-family semi-detached dwelling shall have a side yard setback of five (5) feet, as measured from the exterior side.

    c. Townhouses shall have a side yard setback of ten (10) feet, as measured from the end units.

    d. Multi-family dwellings with four (4) or fewer units shall have a side yard setback of ten (10) feet, as measured from the end or external units.

    e. Multi-family dwellings with more than four (4) units shall have a side yard setback of twenty (20) feet, as measured from the end or external units.

    f. Non-residential buildings or structures shall have a side yard setback of fifteen (15) feet.

4. The minimum rear yard shall be as follows:

    a. Unless otherwise specified by this Zoning Ordinance, all permitted principal uses within the VC Zoning District shall have a rear yard setback of ten (10) feet.

    b. Multi-family and townhouse dwellings with more than four (4) units shall have a rear yard setback of twenty (20) feet.

    c. All permitted non-residential uses shall have a rear yard setback of twenty (20) feet.

5. The maximum building and lot coverage requirements shall apply:

    a. No more than sixty (60) percent of the lot shall be covered by buildings.

    b. No more than seventy (70) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving,.

    c. If more than fifty (50) percent of the required off-street parking spaces are located behind the front yard setback line, the maximum lot or impervious coverage requirement may be increased to a total of eighty (80) percent of the lot.

C. Setback and dimensional requirements for an accessory use.

1. The following regulations shall apply to unattached buildings for accessory uses that are one hundred and twenty (120) square feet or less of gross floor area:

    a. The minimum front yard setback line from all streets shall be fifteen (15) feet to the rear of the front façade of the principal building.

    b. The minimum side yard setback shall be three (3) feet.

    c. The minimum rear yard setback shall be three (3) feet.

2. The following regulations shall apply to unattached buildings for accessory uses that exceed one hundred and twenty (120) square feet of gross floor area:

   a. The minimum front yard setback line from all streets shall be fifteen (15) feet to the rear of the front façade of the principal building.

   b. The minimum side yard setback shall be five (5) feet.

   c. The minimum rear yard setback shall be five (5) feet.

D. Unless otherwise permitted under the provisions of this Zoning Ordinance, the maximum height provisions shall apply to principal buildings or structures:

   1. The maximum height of a building or structure occupied by a principal use shall be forty (40) feet.

   2. Taller buildings or structures are permitted, provided that an additional setback of two (2) feet is provided for every one (1) foot of height in excess of forty (40) feet up to a maximum height of fifty (50) feet.

E. The maximum height provisions shall apply to accessory buildings or structures:

   1. The maximum height of a non-residential accessory building or structure shall be twenty-five (25) feet.

   2. The maximum height shall be twelve (12) feet for a residential accessory building that is one hundred and twenty (120) square feet or less of gross floor area.

   3. The maximum height shall be twenty-five (25) feet for a residential accessory building that exceeds one hundred and twenty (120) square feet of gross floor area.

Article 20: Village Residential (VR) Zoning District

Section 20010: Purpose

A. To accommodate and to support the continued viability of the traditional residential village areas within East Lampeter Township in a manner that preserves their existing character.

B. To enable the construction of new residential development that complements the existing community and is consistent with the current development pattern.

C. To permit commercial uses that provides necessary services for the residents of the village with minimal impact upon the residential quality of the neighborhood.

D. To maintain and implement growth boundary policies, which have been established as part of the Comprehensive Plan.

Section 20020: Permitted Uses

A. Principal uses permitted by right.

1. Agricultural operation, subject to the provisions specified under Section 23030 of this Zoning Ordinance. The agricultural operation shall exclude concentrated animal feeding operations, concentrated animal operations, commercial produce operations and/or cervidae livestock operations.

2. Bed and breakfast establishment, as a principal or accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance.

3. Forestry, subject to the provisions specified under Section 23290 of this Zoning Ordinance.

4. Places of worship, subject to the provisions specified under Section 23580 of this Zoning Ordinance.

5. Recreation use that is classified as a municipal use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

6. Recreation use that is classified as a private recreation use, subject to the provisions specified under Section 23620 of this Zoning Ordinance.

7. Single-family detached dwellings, which are not initially or cumulatively developed as a regional impact development.

8. Single-family semi-detached dwellings, which are not initially or cumulatively developed as a regional impact development.

9. Tourist home, as a principal or accessory use within a single-family detached dwelling, subject to the provisions specified under Section 23110 of this Zoning Ordinance.

10. United States Post Office, such to the provisions specified by the state and federal agencies with jurisdiction.

B. Accessory uses permitted by right.

1. Accessory uses and structures that are customarily and clearly accessory to a permitted use are permitted by right, subject to the provisions of this Zoning Ordinance.

2. Alternative energy facilities as an accessory use, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

3. Apartment as an accessory use to a permitted single-family detached dwelling, subject to the provisions specified under Section 23070.2 of this Zoning Ordinance.

4. ECHO housing as an accessory use to a permitted single-family detached dwelling, subject to the provisions specified under Section 23240 of this Zoning Ordinance.

5. Home occupation use as a no-impact accessory residential use, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

6. Horse barn for the keeping of horses for transportation for non-commercial purposes on less than ten (10) acres of land, subject to the provisions specified under Section 23380 of this Zoning Ordinance.

7. Residential accessory uses and structures for a permitted residential use, subject to the provisions specified under Sections 22030 and 23660 of this Zoning Ordinance.

8. Satellite receiving and/or transmitting dish antenna with a maximum diameter of three (3) feet, which may be mounted on the side or rear façade or roof of a building or ground mounted in the side or rear yard, subject to the provisions of Section 23730 of this Zoning Ordinance.

C. Uses permitted by special exception, pursuant to the provisions specified under Section 25070 of this Zoning Ordinance.

1. Emergency service facility containing a maximum lot area of three (3) acres, subject to the provisions specified under Section 23250 of this Zoning Ordinance.

2. Farm-support business use as a business operation, subject to the provisions specified under Section 23260 of this Zoning Ordinance.

3. Home occupation as a minimal impact accessory use to a single-family detached dwelling, subject to the provisions specified under Section 23370 of this Zoning Ordinance.

4. Medical, dental, vision care and/or counseling clinic containing a maximum lot area of three (3) acres, subject to the provisions specified under of Section 23470 of this Zoning Ordinance.

5. Multi-family dwellings, subject to the provisions specified under Section 23490 of this Zoning Ordinance.

6. Municipal use, subject to the provisions specified under of Section 23500 of this Zoning Ordinance.

7. Public utility building and/or structures, subject to the provisions specified under Section 23610 of this Zoning Ordinance.

8. Satellite receiving and/or transmitting dish antenna with a diameter of less than three (3) feet that is located on the front façade of a building and/or located as a ground mounted structure, subject to the provisions specified under Section 23730 of this Zoning Ordinance.

9. Townhouses, which are not initially or cumulatively developed as a regional impact development, subject to the provisions specified under Section 23830 of this Zoning Ordinance.

D. Uses permitted by conditional use, pursuant to the provisions specified under Section 25080 of this Zoning Ordinance.

1. Historic resource overlay uses and site improvements, subject to the provisions specified under Section 21050 (Historic Overlay District) of this Zoning Ordinance.

2. Regional impact development containing the permitted uses within the VR Zoning District, subject to the provisions specified under Section 23640 of this Zoning Ordinance.

Section 20030: Area, Dimensional and Height Requirements

A. Lot size requirements.

1. The minimum lot area for a single-family detached dwelling shall be 7,500 square feet per dwelling unit, provided that the lot is serviced by public sanitary sewage disposal facilities and by public water supply facilities.

2. The minimum lot area for a single-family dwelling shall be 12,000 square feet per dwelling unit, provided that the lot is serviced by public sanitary sewage disposal facilities and by on-lot water supply facilities.

3. The minimum lot size for a single-family semi-detached dwelling shall be 5,000 square feet per unit.

4. The minimum lot size for a townhouse shall be 3,500 square feet per unit.

5. The minimum lot size for multi-family dwellings shall be 3,000 square feet per unit.

6. The minimum lot area for all permitted non-residential uses within the VR Zoning District shall be 10,000 square feet provided that the lot is serviced by public sanitary sewage disposal facilities and by public or on-lot water supply facilities.

7. All uses within the VR Zoning District shall be served by public sanitary sewage disposal facilities and by public water supply facilities (where available) or on-lot water supply facilities.

B. Lot width, building setback and dimensional requirements for a principal use.

1. The minimum lot width requirement shall be as follows:

   a. A lot containing a single-family detached dwelling shall have a minimum lot width of fifty (50) feet as measured at the street right-of-way line and front yard setback line.

   b. A lot containing a single-family semi-detached dwelling shall have a minimum lot width of forty (40) feet as measured at the street right-of-way line and the front yard setback line.

   c. A lot containing a townhouse shall have a minimum lot width of twenty-five (25) feet as measured at the street right-of-way line and the front yard setback line.

   d. A lot containing a multi-family dwelling shall have a minimum lot width of one hundred (100) feet as measured at the street right-of-way line and front yard setback line.

   e. A lot containing a permitted non-residential building and use shall have a minimum lot width of seventy-five (75) feet as measured at the street right-of-way line and front yard setback line.

2. The minimum front yard setback requirements shall be as follows:

   a. The minimum front yard setback requirement shall be ten (10) feet, as measured from the street right-of-way line.

   b. The maximum front yard setback requirement shall be twenty-five (25) feet, as measured from the street right-of-way line.

   c. No off-street parking area for a commercial use shall be permitted within the front yard setback.

3. The minimum side yard setback requirements shall be as follows:

   a. A lot containing a single-family detached dwelling shall have a side yard setback of five (5) feet.

   b. A lot containing a single-family semi-detached dwelling shall have a side yard setback of five (5) feet, as measured from the exterior side.

c. Townhouses shall have a side yard setback of ten (10) feet as measured from the end units.

d. Multi-family dwellings with four (4) or fewer units shall have a side yard setback of ten (10) feet, as measured from the end or external units.

e. Multi-family dwellings with more than four (4) units shall have a side yard setback of twenty (20) feet, as measured from the end or external units.

f. Non-residential buildings or structures shall have a side yard setback of fifteen (15) feet.

4. The minimum rear yard setback requirement shall be as follows:

a. Unless otherwise specified by this Zoning Ordinance, all permitted principal uses within the VR Zoning District shall have a rear yard setback of ten (10) feet.

b. Multi-family and townhouse dwellings with more than four (4) units shall have a rear yard setback of twenty (20) feet.

c. All permitted non-residential uses shall have a rear yard setback of twenty (20) feet.

5. The maximum building and lot coverage requirements shall apply:

a. No more than sixty (60) percent of the lot shall be covered by buildings.

b. No more than seventy (70) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving.

c. If more than fifty (50) percent of the required off-street parking spaces are located behind the front yard setback line, the maximum lot or impervious coverage requirement may be increased to a total of eighty (80) percent of the lot.

C. Setback and dimensional requirements for an accessory use.

1. The following regulations shall apply to unattached buildings for accessory uses that are one hundred and twenty (120) square feet or less of gross floor area::

a. The minimum front yard setback line from all streets shall be fifteen (15) feet to the rear of the front façade of the principal building.

b. The minimum side yard setback shall be three (3) feet.

c. The minimum rear yard setback shall be three (3) feet.

2. The following regulations shall apply to unattached buildings for accessory uses that exceed one hundred and twenty (120) square feet of gross floor area:

a. The minimum front yard setback line from all streets shall be fifteen (15) feet to the rear of the front façade of the principal building.

b. The minimum side yard setback shall be five (5) feet.

c. The minimum rear yard setback shall be five (5) feet.

D. Unless otherwise permitted by this Zoning Ordinance, the maximum height provisions shall apply to principal buildings or structures:

1. The maximum height of a building or structure occupied by a principal use shall be forty (40) feet.

2. Taller buildings or structures are permitted, provided that an additional setback of two (2) feet is provided for every one (1) foot of height in excess of forty (40) feet up to a maximum height of fifty (50) feet.

E. The maximum height provisions shall apply to accessory buildings or structures:

1. The maximum height of a non-residential accessory building or structure shall be twenty-five (25) feet.

2. The maximum height shall be feet twelve (12) feet for a residential accessory building that is one hundred and twenty (120) square feet or less of gross floor area.

3. The maximum height shall be twenty-five (25) feet for a residential accessory building that exceeds one hundred and twenty (120) square feet of gross floor area.

Article 21: Overlay Districts

Section 21010: Purpose

A. To recognize that there are certain areas require special consideration in their development due to the historic pattern of development, environmental conditions, natural or cultural features, or any combination of these. This Article of the Zoning Ordinance has been developed to provide a means whereby East Lampeter Township may accommodate the appropriate development of such areas.

B. To provide additional conditions to assure that lands included in a given overlay district are developed in such a way to preserve and to promote the desirable aspects of their character.

C. To assure that uses permitted in overlay districts are compatible with the uses existing and permitted on the immediately adjacent lands and the neighborhood generally.

D. To implement the goals, objectives and policies of the Comprehensive Plan, which pertain to conservation management, environmental protection, natural resources, open space, and historic preservation.

Section 21020: Interpretation of Overlay Districts

A. The Overlay Districts contained within Article 21 of the Zoning Ordinance include provisions to supplement and enhance the existing underlying district regulations for certain land areas, uses and water features. These supplemental regulations do not replace the existing underlying zoning district regulations. In cases where the Overlay Districts overlap, the more restrictive standards and specifications shall apply.

B. The land and water areas encompassed by the Overlay Districts shall be subject to the interpretation of the Zoning Officer. Should a dispute arise concerning the interpretation of the boundaries or limits of those land or water areas encompassed by the Overlay Districts, the person aggrieved by the interpretation may file an appeal with the Zoning Hearing Board. In all cases, the burden of proof and submission of technical evidence shall be the responsibility of the person appealing the interpretation of the Zoning Officer.

Section 21030: Airport Overlay District

A. **Purpose**: It is hereby found that an obstruction has the potential for endangering the lives and property of users of both the Lancaster Airport and the Smoketown Airport, and property or occupants of land in their vicinity; that an obstruction may affect existing and future instrument approach minimums of both the Lancaster Airport and the Smoketown Airport; and that an obstruction may reduce the size of areas available for the landing, takeoff and maneuvering of aircraft, thus tending to destroy or impair the utility of both the Lancaster Airport and the Smoketown Airport and the public investment therein. Accordingly, it is hereby declared:

1. That the creation or establishment of an obstruction has the potential of being a nuisance and may injure the region served by the Lancaster Airport and the Smoketown Airport.

2. That it is necessary in the interest of the health, safety, morals and general welfare that the creation or establishment of obstructions that are a hazard to air navigation be prevented.

3. That the prevention of these obstructions should be accomplished, to the extent legally possible, by the exercise of the police power without compensation.

B. **Application and Defined Terms:**

1. The provisions contained within Section 21030 of this Zoning Ordinance are intended to create an overlay zoning district which is applicable within airport surface zones in all other zoning districts established by this Zoning Ordinance. To the extent of the provisions of Section 21030 of this Zoning Ordinance are applicable and more restrictive, they shall supersede conflicting provisions within all other articles of this Zoning Ordinance and all other ordinances of East Lampeter Township. However, all other provisions of this Zoning Ordinance and all other ordinances adopted by East Lampeter Township shall remain in full force.

2. The provisions for the Airport Overlay District contain technical and reference terms that are further defined under Sections 2020 and 21030 of this Zoning Ordinance.

3. The limits of the Airport Overlay District are depicted as an insert of the Zoning Map as well as on maps prepared and maintained by the Pennsylvania Department of Transportation.

4. In addition to the provisions specified for the Airport Overlay District by this Zoning Ordinance, the provisions established by the state and federal agencies with jurisdiction shall apply.

C. **Airport Surface Zones**: In order to carry out the provisions of the Airport Overlay District, certain zones have been created and established, which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces as they apply to both the Lancaster Airport and the Smoketown Airport. Such zones are shown on both the Lancaster Airport Height Limitation Map and the Smoketown Airport Height Limitation Map, prepared by the Pennsylvania Department of Transportation, Bureau of Aviation, and dated Spring, 1989. An area located in more than one (1) of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

1. Utility Runway Visual Approach Surface Zone: Established beneath the visual approach surface for the Smoketown Airport. The inner edge of this zone coincides with the width of the primary surface and is 250 feet wide. The zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

2. Transitional Surface Zones: Established beneath the transitional surfaces adjacent to the Smoketown Airport runway and approach surface as indicated on the Height Limitation Map.

3. Horizontal Surface Zone: Established beneath the horizontal surface, 150 feet above the established Smoketown Airport elevation, the perimeter of which is constructed by swinging arcs of 5,000 feet radii from the center of each end of the primary surface of the runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal surface zone does not include the approach surface and transitional surface zones.

4. Conical Surface Zone: Established beneath the conical surface. This zone commences at the periphery of the horizontal surface and extends outward there from a horizontal distance of 4,000 feet.

D. **Airport Surface Zone Height Limitations**: Except as otherwise provided within Section 21030 of this Zoning Ordinance, no structure shall be erected, altered, or maintained, and no tree or other natural growth shall be allowed to grow in any zone created by this Section of the Zoning Ordinance to a height in excess of the applicable height limit herein established for such zone. The datum for all height limits shall be mean sea level elevation. Such applicable height limitations are hereby established for each of the zones in question as follows:

1. Utility Runway Visual Approach Surface Zone: Slopes twenty (20) feet outward for each one (1) foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

2. Transitional Surface Zones: Slopes seven (7) feet outward for each one (1) foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the Smoketown Airport elevation which is 370 feet above mean sea level.

3. Horizontal Surface Zone: Established at 150 feet above the established Smoketown Airport elevation or at a height of 520 feet above mean sea level.

4. Conical Surface Zone: Slopes twenty (20) feet outward for each one (1) foot upward beginning at the periphery of the horizontal surface and at 150 feet above the established airport elevation and extending to a height of 350 feet above the established airport elevation or at a height of 753 feet above mean sea level for the Lancaster Airport and at a height of 720 feet above mean sea level for the Smoketown Airport.

5. Excepted Height Limitations: Nothing in this Zoning Ordinance shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree or other natural growth to a height up to forty (40) feet above the surface of the land.

E. **Airport Surface Areas**: Within the Airport Overlay District, there are four (4) surface area classifications for the purpose of controlling uses determined to be compatible with an airport. These surface areas are defined as follows:

1. Surface Area 1: The land beneath the primary surface.

2. Surface Area 2: The land beneath the approach surface for each runway end extended 2,500 feet from the edge of the primary surface.

3. Surface Area 3: The land beneath the transitional surface and the land beneath the approach surface from the end of Surface Area 2 to the approach surface's intersection with the horizontal surface.

4. Surface Area 4: The land beneath the horizontal surface.

F. **Airport Surface Area Use Limitations**: The following uses and no others are permitted within an airport surface area provided that: the uses are permitted only if they are permitted within the applicable underlying zoning district; the uses comply with the provisions of the underling zoning district; and the uses comply with all other applicable provisions of this Zoning Ordinance. Where provisions within the Airport Overlay District and the underlying zoning district differ, the more stringent provision shall be deemed applicable:

1. The following uses are permitted by special exception within Surface Area 1:

   a. Airport or heliport, subject to the provisions specified under Section 23040 of this Zoning Ordinance.

2. The following uses are permitted by right within Surface Area 2:

   a. Agricultural operations, subject to the provisions specified under Section 23030 of this Zoning Ordinance.

   b. Farm-support use as a limited impact business operation, subject to the provisions specified under Section 23260.2 of this Zoning Ordinance.

   c. Recreation use that is defined as a municipal recreation use, including municipal parks, playgrounds, picnic areas, and similar municipal recreation facilities, subject to the provisions specified under Section 23620.4 of this Zoning Ordinance.

   d. Accessory uses and structures that are customarily and clearly accessory to a permitted use shall be permitted by right, subject to the provisions specified by the underlying zoning district and the regulations that are specified under Articles 22 and 23 of this Zoning Ordinance.

3. The following uses are permitted by special exception within Surface Area 2, subject to the special exception provisions specified under Section 25070 of this Zoning Ordinance:

   a. Airport or heliport, subject to the provisions specified under Section 23040 of this Zoning Ordinance.

   b. Cemetery, permitted as a principal use, subject to the provisions specified under Section 23160 of this Zoning Ordinance.

   c. Golf course, permitted as a principal use by special exception and subject to the provisions specified under Section 23320 of this Zoning Ordinance.

   d. Public utility building and/or structures, subject to the provisions specified under Section 23610 of this Zoning Ordinance.

   e. Roadside stand for the sale of agricultural or horticultural products, subject to the provisions specified under Section 23710 of this Zoning Ordinance.

f. Uses customarily and clearly accessory or subordinate to a principal use permitted by special exception when located on a lot that is contiguous to the principal use.

4. The following uses are permitted by right within Surface Area 3 and Surface Area 4:

a. All uses permitted by right within the underlying zoning districts of Surface Area 3 shall be permitted by right, subject to the applicable provisions specified by this Zoning Ordinance.

b. All uses permitted by right within the underlying zoning districts of Surface Area 4 shall be permitted by right, subject to the applicable provisions specified by this Zoning Ordinance.

5. The following uses are permitted by special exception within Surface Area 3 and Surface Area 4, subject to the special exception provisions specified under Section 25070 of this Zoning Ordinance:

a. All uses permitted by special exception within the underlying zoning districts of Surface Area 3 shall be permitted by special exception, subject to the applicable provisions specified by this Zoning Ordinance.

b. All uses permitted by special exception within the underlying zoning districts of Surface Area 4 shall be permitted by special exception, subject to the applicable provisions specified by this Zoning Ordinance.

6. The following uses are permitted by conditional use within Surface Area 3 and Surface Area 4, subject to the conditional use provisions specified under Section 25080 of this Zoning Ordinance:

a. All uses permitted by conditional use within the underlying zoning districts of Surface Area 3 shall be permitted by conditional use, subject to the applicable provisions specified by this Zoning Ordinance.

b. All uses permitted by conditional use within the underlying zoning districts of Surface Area 4 shall be permitted by conditional use, subject to the provisions specified by this Zoning Ordinance.

G. **Airport Zoning Requirements**:

1. Reasonableness: All airport zoning regulations adopted under Section 21030 of this Zoning Ordinance shall be reasonable; none shall impose any requirement or restriction unless it is reasonably necessary to effectuate the purpose of this Section of the Zoning Ordinance.

2. Use Restrictions: Notwithstanding any other provisions of this Zoning Ordinance, no use may be made of land or water within any zone established by this Section of the Zoning Ordinance in such a manner as to create electronic interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare or smoke in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

3. Non-Conforming Uses:

a. Regulations Not Retroactive: The regulations prescribed by this Section of the Zoning Ordinance shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree or other natural growth not conforming to the regulations as of the effective date of this Zoning Ordinance, or otherwise interfere with the continuance of any non-conforming use, except as provided in Section 21030.H (Permits and Variances) of this Zoning Ordinance. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Zoning Ordinance, and is diligently executed.

b. Marking and Lighting: Notwithstanding the provision of Section 21030.G.3.a of this Zoning Ordinance, the owner of any existing non-conforming structure or tree or other natural growth is

hereby required to permit the installation, operation, and maintenance thereon or nearby of such markers and lights as shall be deemed necessary by the Zoning Officer to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated, and maintained at the expense of East Lampeter Township.

4. New or Emerging Technology: All aircraft that is considered as a new or emerging technological advance shall comply with all applicable state and federal regulations as well as the provisions specified within this Zoning Ordinance.

H. **Permits and Variances**: The following requirements pertaining to permits and variances within the Airport Overlay District shall be applicable in addition to those requirements specified under Article 25 of this Zoning Ordinance:

1. Future Uses: Except as specifically provided under Sections 21030.I.1 (sub-sections a, b and c) of this Zoning Ordinance, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree or other natural growth shall be planted in any zone hereby created within this Section of the Zoning Ordinance unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree or other natural growth would conform to the regulations herein prescribed. If such determination is in the affirmative, the Permit shall be granted. No permit for a use inconsistent with the provisions of this Zoning Ordinance shall be granted unless a variance has been approved in accordance with Section 25060 of this Zoning Ordinance.

   a. In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than seventy-five (75) feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limits prescribed for such zones.

   b. In areas lying within the limits of the approach zones, but at a horizontal distance of not less than 4,200 feet from each end of the runway, no Permit shall be required for any structure or tree or other natural growth less than seventy-five (75) feet of vertical height above the ground, except when, because of terrain, land contour or topographic features, such structure or tree or other natural growth would extend above the height limit prescribed for such approach zones.

   c. In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zones, no permit shall be required for any structure or tree or other natural growth less than seventy-five (75) feet of vertical height above the ground, except when such structure or tree or other natural growth, because of terrain, land contour, or topographic feature, would extend above the height limit prescribed for such transition zones.

   d. Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure, or growth of any tree or other natural growth in excess of any of the height limits established by this Zoning Ordinance, except that no permit is required to make maintenance repairs to or to replace parts of existing structures which do not enlarge or increase the height of an existing structure.

2. Existing Uses: Before any non-conforming structure may be replaced, substantially altered or rebuilt or any non-conforming tree or other natural growth allowed to grow higher or replanted, a permit must be secured from the Zoning Officer. No Permit shall be granted that would allow the establishment or creation of an obstruction or permit a non-conforming use, structure, or tree or other natural growth to become a greater hazard to air navigation than it was on the effective date of this Zoning Ordinance or any amendments thereto or than it is when the application for a permit is made.

3. Variances: Any application for a variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable air space. Additionally, no application for variance to the requirements of this Section of the Zoning Ordinance may be considered by the Zoning Hearing Board unless a copy of the application has been furnished to the Airport Manager (or person of equal description) for advice as to the aeronautical effects of the variance. If the Airport Manager (or person of equivalent description) does not respond to the application within fifteen (15) days after receipt, the Zoning Hearing Board may act without such input to grant or deny said application.

4. Hazard Marking and Lighting: In granting any permit or variance under this Section, the Zoning Hearing Board shall, if it deems the action advisable to effectuate the purpose of this Section of the Zoning Ordinance and reasonable under the circumstances, so condition the permit or variance as to require the owner of the structure or tree or other natural growth in question to permit East Lampeter Township, at its own expense, or require the applicant requesting the Permit or variance, to install, operate and maintain thereon such markers and lights as may be required by guidelines or regulations adopted by the FAA.

5. Notice to Department: The Zoning Hearing Board, upon the decision to grant a permit or variance under this Section of the Zoning Ordinance, shall notify the Pennsylvania Department of Transportation, Bureau of Aviation of its decision. This notice shall be in writing and shall be sent to the Department of Transportation at the same time as to the applicant. The decision shall not be effective for ten (10) days after it is rendered to allow the Department of Transportation time within which to appeal the decision.

I. **Acquisition of Air Rights**: In any case in which it is desired to remove, lower or otherwise terminate a non-conforming structure or use, or the approach protection necessary cannot, because of constitutional limitations, be provided by airport zoning regulations, or it appears advisable that the necessary approach protection be provided by acquisition of property rights, rather than by airport zoning regulations, East Lampeter Township, or the municipal authority owning the airport or served by it, may acquire by purchase, grant or condemnation, in the manner provided by the law under which East Lampeter Township is authorized to acquire real property for public purposes, such air right, aviation easement or other estate or interest in the property or non-conforming structure or use in question as may be necessary to effectuate the purpose of this Section of the Zoning Ordinance. In the case of the purchase of any property or any easement or estate, or interest therein, or the acquisition thereof by the power of eminent domain, East Lampeter Township shall, in addition to the damages for the taking, injury or destruction of property, also pay the cost of the removal and relocation of any structure or any public utility which is required to be moved to a new location

J. **FAA Form 7460:** If required by East Lampeter Township, the applicant or landowner shall submit a completely executed Form 7460 (Notice of Proposed Construction or Alteration) to the Federal Aviation Administration and Pennsylvania Department of Transportation. Evidence that Form 7460 has been properly submitted and the opportunity for review has been provided shall be the responsibility of the applicant or landowner.

K. **Drones:** All portable or unmanned aerial vehicles utilized as part of a personal, private or commercial use shall comply with all local, state and federal regulations as well as the provisions that are contained under Sections 21030 and 23040 of this Zoning Ordinance.

Section 21040: Floodplain Overlay District

A. **Purpose**: The Floodplain Overlay District is hereby established to meet the following objectives:

1. The Floodplain Overlay District includes the areas of East Lampeter Township which are subject to periodic inundation by floodwaters. This inundation results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, impairment of the tax base, and other adverse effects on the public health, safety, and general welfare.

2. The provisions of the Floodplain Overlay District are hereby authorized by the Commonwealth of Pennsylvania through the passage of the Pennsylvania Flood Plain Management Act of 1978 in order to establish regulations to promote public health, safety, and the general welfare of the community.

3. In the interest of public health, safety, and welfare, the regulations of the Floodplain Overlay District are designed and intended to protect floodplain areas subject to and necessary for floodwaters, to permit and encourage the retention of open land uses so located and utilized and to guide incompatible development into more appropriate zoning districts.

4. In advancing these principles and the general purposes of this Zoning Ordinance and the Comprehensive Plan, the specific intent of the Floodplain Overlay District includes the following:

a. To regulate uses, activities, and development which, acting along or in combination with other existing or future uses, activities, and development, will cause unacceptable increases in flood heights, velocities and frequencies.

b. To restrict or prohibit certain uses, activities, and development from locating within areas subject to flooding.

c. To require all those uses, activities, and developments that occurs in flood-prone areas to be protected and/or flood-proofed against flooding and flood damage.

d. To encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future.

e. Minimize danger to public health by protecting water supply and natural drainage.

f. Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing excessive development in areas subject to flooding.

g. To protect individuals from buying lands and structures which are unsuited for intended purposes because of flood hazards.

h. To comply with state and federal floodplain management requirements.

B. **Abrogation of Greater Restrictions**: The provisions established for the Floodplain Overlay District supersedes any other conflicting provisions which may be in effect in identified floodplain areas. However, any other ordinance provisions shall remain in full force and effect to the extent that those provisions are more restrictive. If there is any conflict between any of the provisions of this Zoning Ordinance, the more restrictive shall apply.

C. **Application of Provisions and Defined Terms**:

1. The provisions of the Floodplain Overlay District are intended to establish an overlay zone which is applicable to floodplains and surface water features within all other zoning districts established by this Zoning Ordinance. To the extent of the provisions of this Zoning Ordinance are applicable and more restrictive, they shall supersede conflicting provisions within all other articles of this Zoning Ordinance and all other ordinances of East Lampeter Township. However, all other provisions of this Zoning Ordinance and all other ordinances adopted by East Lampeter Township shall remain in full force.

2. The Zoning Officer shall be designated as the Floodplain Administrator for East Lampeter Township. The Zoning Officer shall be responsible for the following floodplain management duties:

a. It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, any construction or development anywhere within East Lampeter Township unless a permit has been obtained from the Zoning Officer.

b. The Zoning Officer shall issue a permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this Zoning Ordinance and all other applicable codes and ordinances.

c. Prior to the issuance of any permit, the Zoning Officer shall review the application for the permit to determine if all other necessary required by state and federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act, the Pennsylvania Dam Safety and Encroachments Act, the Pennsylvania Clean Streams Act, and the U.S. Clean Water Act, and other relative state or federal laws. No permit shall be issued until this determination has been made.

d. During the construction period, the Zoning Officer or other municipal official authorized by East Lampeter Township shall inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable municipal laws and ordinances. The Zoning Officer shall make as many inspections during and upon completion of the work as are necessary.

e. The Zoning Officer shall have the authority to enter any building, structure, premises or development in the identified floodplain area, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this ordinance.

f. In the event the Zoning Officer discovers that the work does not comply with the permit application or any applicable laws and ordinances, or that there has been a false statement or misrepresentation

by any applicant, the Zoning Officer shall revoke the permit and report such fact to the East Lampeter Township Board of Supervisors and Manager for whatever action it considers necessary.

g. The Zoning Officer shall maintain all records associated with the requirements of this Zoning Ordinance including, but not limited to, permitting, inspection and enforcement.

3. The provisions for the Floodplain Overlay District contain technical and reference terms that are further defined under Sections 2020 and 21040 of this Zoning Ordinance.

4. In addition to the provisions specified for the Floodplain Overlay District by this Zoning Ordinance, the provisions established by the state and federal agencies with jurisdiction shall apply

D. **Identification of Floodplain Areas**: The Floodplain Overlay District shall include the following identified floodplain areas within East Lampeter Township:

1. The identified floodplain area shall be any areas classified as Special Flood Hazard Areas (SFHA) in the Flood Insurance Study (FIS) and the accompanying Flood Insurance Rate Maps (FIRM) issued by the Federal Emergency Management Agency (FEMA) or the most recent revision thereof, including all digital data developed as part of the Flood Insurance Study.

2. The identified floodplain area shall also consist of the following specific areas:

a. The Floodway Area shall be those areas identified in the FIS and the FIRM as floodway and which represent the channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation by more than one (1) foot at any point. This term shall also include floodway areas which have been identified in other available studies or sources of information for those Special Flood Hazard Areas where no floodway has been identified in the FIS and FIRM.

(1) Within any floodway area, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

(2) Within any floodway area, no new construction or development shall be allowed, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office.

b. The AE Area/District shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided:

(1) The AE Area adjacent to the floodway shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided and a floodway has been delineated.

(2) AE Area without floodway shall be those areas identified as an AE zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided but no floodway has been determined.

(a) No permit shall be granted for any construction, development, use, or activity within any AE Area/District without floodway unless it is demonstrated that the cumulative effect of the proposed development would not, together with all other existing and anticipated development, increase the BFE more than one (1) foot at any point.

(b) No new construction or development shall be located within the area measured fifty (50) feet landward from the top-of-bank of any watercourse, unless the

appropriate permit is obtained from the Department of Environmental Protection Regional Office.

c. The A Area/District shall be those areas identified as an A Zone on the FIRM included in the FIS prepared by FEMA and for which no base flood elevations have been provided. For these areas, elevation and floodway information from other Federal, State, or other acceptable sources shall be used when available. Where other acceptable information is not available, the base flood elevation shall be determined by using the elevation of a point on the boundary of the identified floodplain area which is nearest the construction site.

In lieu of the above, East Lampeter Township may require the applicant to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by East Lampeter Township.

d. The AO and AH Area/ District shall be those areas identified as Zones AO and AH on the FIRM and in the FIS. These areas are subject to inundation by 1-percent-annual-chance shallow flooding where average depths are between one and three feet. In Zones AO and AH, drainage paths shall be established to guide floodwaters around and away from structures on slopes.

3. The Floodplain Overlay District may be revised or modified by East Lampeter Township where studies or information provided by a qualified agency or person documents the need for such revision. However, prior to any such change to the Special Flood Hazard Area, approval must be obtained from FEMA.

E. **Boundary Disputes**:

1. Should any person dispute the initial boundary determination of the Floodplain Overlay District made by the Zoning Officer, an appeal will lie to the Zoning Hearing Board. The burden of proof in such an appeal shall be on the property owner. The property owner shall pay all costs associated with the hearing before the Zoning Hearing Board, including all costs for advertising public notice, for fees to Zoning Hearing Board members, for fees to the municipal solicitor, and for all stenographic records including the attendance of a stenographer and, when necessary, the transcription of the record.

2. All changes to the boundaries of the Floodplain Overlay District which affect areas identified under Section 21040 of this Zoning Ordinance are subject to the review and approval of the Federal Insurance Administrator for compliance with the Rules and Regulations of the National Flood Insurance Program.

F. **Uses Permitted by Right**: The following uses, when permitted in the underlying zoning district, and no others, are permitted in the Floodplain Overlay District and they are permitted only if done under and in accordance with the provisions of the Clean Streams Law of Pennsylvania, the rules and regulations of the Pennsylvania Department of Environmental Protection (DEP), and all other provisions of this Section and provisions of this Zoning Ordinance:

1. Agricultural operation, subject to the provisions specified under Section 23020 of this Zoning Ordinance, excluding any fill or structures and excluding any grading or filling which would cause any increase in flood heights or frequency.

2. Erosion and sedimentation control measures, facilities, and structures, provided no unhealthful ponding or other unsanitary conditions shall occur.

3. Recreation uses that are defined as a municipal recreation uses, private recreation uses, restricted recreation uses and/or commercial recreation uses, subject to the provisions that are specified under Section 23620 of this Zoning Ordinance. Such recreation uses may include parks, playgrounds, picnic areas, swimming areas (excluding swimming pools), play areas, day camps, campgrounds (excluding campsites), lawns, gardens, golf courses, golf driving ranges, archery ranges, game farms, areas or clubs for hunting, fishing, and/or boating (including marker or anchor buoys), paved bicycle paths, and hiking and horseback riding trails, all excluding any fill or structures and excluding any grading or filling which would cause any increase in flood heights or frequency.

4. Harvesting of any wild crop, such as marsh hay, ferns, moss, berries, tree fruits and seeds, or wild rice.

5. Activities related to the preservation of natural amenities, including wildlife sanctuaries, nature preserves, woodland preserves, botanical gardens, or arboretums, excluding any fill or structures and excluding any grading or filling which would cause any increase in flood heights or frequency.

6. Open space and front, side, or rear yard required by other provisions of this Zoning Ordinance. Floodplain land may be used to meet minimum open space, yard and lot area requirements, provided that the purpose and intent of Section 21040 of this Zoning Ordinance and all other pertinent provisions specified by this Zoning Ordinance.

7. Stream improvements whose sole purpose is to improve aquatic life habitat, and which are reviewed and approved by the Pennsylvania Fish Commission, the Pennsylvania department of Environmental Protection, and other agencies with jurisdiction.

8. One or two strand fences.

9. Picnic tables, park benches, fireplaces and grills, and playground equipment, all if anchored to prevent flotation.

10. Blinds for the shooting or observation of wildlife, provided that such blinds may only be placed, erected, and maintained during the open season established by the Pennsylvania Game Commission for the taking of migratory waterfowl and the three (3) weeks immediately preceding and the three (3) weeks immediately following that open season. Blinds must be removed during all other times of the year.

11. Farm ponds which are constructed in accordance with a Conservation Plan, which has been reviewed and approved by the Pennsylvania Department of Environmental Protection and which do not create any increase in flooding, and subject to the provisions of this Zoning Ordinance.

12. Flood-proofing and flood hazard reduction structures to protect only lawfully existing non-conforming structures and lawfully existing non-conforming uses within structures.

13. Public utility facilities (except buildings) under the exclusive jurisdiction of the Pennsylvania Public Utility Commission and specifically exempted from control by municipal zoning ordinances, subject to the provisions of this Zoning Ordinance.

14. Marker buoys.

15. Floodplain remediation or restoration projects.

G. **Uses Permitted by Special Exception**: The following uses are permitted within the Floodplain Overlay District only when a special exceptions has been granted by the Zoning Hearing Board in accordance with this Zoning Ordinance, when permitted by the underlying zoning district as a permitted use by right or special exception, and when done under and in accordance with the provisions of the Clean Streams Law of Pennsylvania, Act 394 of 1937, as amended, the Rules and Regulations of the Pennsylvania Department of Environmental Protection (DEP), and all other applicable provisions of this Zoning Ordinance:

1. One-story tool or implement sheds, not exceeding eight hundred (800) square feet in size provided that the same are anchored to a permanent foundation, that the shed, together with attendant utility and sanitary facilities, are flood-proofed to the elevation of the 100-year flood elevation, and provided that no such sheds are permitted in the floodway.

2. Parking lots, loading areas, driveways, and aircraft landing strips and taxiways, if they are water-permeably surfaced, and if they are consistent with the provisions of this Zoning Ordinance, except that parking lots designed or used for storage and parking lots for hotels, motels and other transient lodgings are prohibited.

3. Water oriented uses such as docks, piers, wharves, marinas, boat liveries, and boat launching ramps.

4. Public utility facilities not under the exclusive jurisdiction of the Pennsylvania Public Utility Commission, subject to the following conditions:

a. Facilities such as pipelines, gas lines, storm sewers, sanitary sewers, water lines, outlet installations for sewage treatment plants, sealed public and private water supply wells, pumping stations, and underground communications facilities, shall, together with associated structures, but excepting necessary vents, be designed and installed underground so as to be at or below the existing natural surface grade within the floodplain, and in such a manner as will prevent flotation, minimize or eliminate flood damage, and not alter the cross-sectional area of the floodplain. All new or replacement water supply facilities and/or sanitary sewage facilities shall be designed to minimize or eliminate infiltration of floodwaters into the facilities and discharges from the facilities into floodwaters. All gas lines shall have a system of shut-off valves for service to the Floodplain Overlay District to allow positive control during flood emergencies.

b. Electrical transmission lines and supporting structures shall be installed so as to minimize or eliminate flood damage and all lines of less than 15 kilovolts shall be installed underground, below the existing natural surface grade within the floodplain. Above ground electrical transmission lines of 15 kilovolts or more may be allowed above ground as a special exception, provided they are certified by a licensed professional engineer registered by the Commonwealth of Pennsylvania as meeting all of the following standards:

(1) Above ground lines and supporting structures shall enter the Floodplain Overlay District only to cross a watercourse, shall cross the watercourse and the Floodplain Overlay District using the most direct and shortest route possible consistent with the goals, objectives, purposes, and intents of Section 21040.A of this Zoning Ordinance, shall make the minimum number of crossings necessary, and shall be designed and installed so as to minimize or eliminate flood damage.

(2) Above ground lines shall be elevated so that their lowest portions are a minimum of ten (10) feet above the maximum flood elevation.

(3) Supporting structures for above ground lines within the Floodplain Overlay District shall be the minimum number necessary to carry the lines across the Floodplain Overlay District. Supporting structures shall be designed and installed so as to be able to withstand the maximum volume, velocity, and force of floodwaters which can be expected at the point where they are located.

(4) Facilities and service in the Floodplain Overlay District shall be designed so that flood damage within the Floodplain Overlay District does not disrupt service outside the Floodplain Overlay District.

5. Fish hatcheries, including uncovered ponds and raceways, which are approved by the Pennsylvania Fish Commission, but excluding other structures.

6. Water monitoring devices.

7. Streets, provided that the finished elevation is no more than one (1) foot below the regulatory flood elevation.

8. Culverts, bridges, and their respective approaches provided the same meet all the following conditions:

a. Review and/or approval by the Lancaster County Planning Commission, if required.

b. Approval by the Susquehanna River Basin Commission, if required.

c. Approval by the Pennsylvania Department of Environmental Protection, if required.

d. Approval by the Pennsylvania Department of Transportation (PennDOT), if required.

e. If approval by PennDOT is not required, the proposed use must still meet all of the appropriate minimum design standards of PennDOT.

f. Approval by the United States Army Corps of Engineers, if required.

g. The proposed structure must be designed in such a way as to have the capacity to allow the unrestricted passage of waters of maximum flood elevation below and through it without any

upstream or downstream increase in water surface elevation.

9. Other uses similar to the above, provided the use will not reduce the cross-sectional area of the floodplain.

H. **Standards and Criteria for Special Exceptions:** In addition to the provisions specified under Section 25070 (Special Exception) of this Zoning Ordinance, the Zoning Hearing Board shall also determine that the following standards and criteria have been complied with:

1. That danger to life and property due to increased flood heights, velocities, or frequencies caused by encroachments, is minimized.

2. That no or a minimum of floodwaters or materials will be swept onto other lands or downstream to cause injury to others.

3. That the possibility of disease, contamination, and unsanitary conditions is minimized.

4. The proposed facility needs a waterfront or floodplain location.

5. That alternative locations not subject to flooding for the proposed use do not exist.

6. That the proposed use is compatible with existing and anticipated development.

7. That the proposed use is consistent with the Comprehensive Plan and any floodplain management program for the area.

8. The safety of access to the property in times of flood for emergency vehicles will be assured.

9. That the expected area, height, depth, velocity, pressure, frequency, duration, rate of rise, seasonality, and sediment debris, and pollutant load of floodwaters expected at the site is not inconsistent with the use.

10. That the proposed activity will not unduly alter natural water flow or water temperature.

11. That archaeological or historic sites and structures, endangered or threatened species of animals or plants, high quality wildlife habitats, scarce vegetation types, and other irreplaceable land uses will not be degraded or destroyed.

12. That the natural, scenic, and aesthetic values at the proposed site will be conserved.

13. That a minimal amount of danger, damage, and injury to all adjoining properties on both sides of any watercourse, regardless of municipality, will occur. In this regard, any proposal affecting an adjacent municipality shall be submitted to that municipality for review and comment.

14. That the grant of the special exception shall not cause:

    a. Increase in flood heights.

    b. Additional threats to public safety.

    c. Extraordinary public expense.

    d. Creation of nuisances.

    e. Conflict with local laws or ordinances.

15. Upon deciding if a special exception should be granted or denied under the provisions of this Zoning Ordinance, the burden of proof shall be on the applicant. The Zoning Hearing Board may require the applicant to submit such plans, specifications, and other information to assist it in arriving at a fair and impartial determination. Such required information may include, but is not limited to, the following:

    a. Plans drawn to scale showing the nature, location, dimensions, and elevation of the lot, existing or proposed structures, fill, storage of materials, flood-proofing measures, and the relationship of the above to the location of the channel.

    b. A typical valley cross-section showing the channel of the watercourse, elevation of land areas adjoining each side of the channel, cross-sectional areas to be occupied by the proposed

development, and high water information.

c. A plan (surface view) showing elevations or contours of the ground; pertinent structure, fill, or storage elevations; size, location, and spatial arrangement of all proposed and existing structures on the site; location and elevations of streets, water supply facilities, and sanitary facilities; photographs showing existing land uses and vegetation upstream and downstream; soil types; and other pertinent information.

d. A profile showing the slope of the bottom of channel or flow line of the watercourse.

e. Specifications for building construction and materials, flood-proofing, filling, dredging, grading, channel improvement, storage of materials, water supply and sanitary facilities.

16. Upon deciding if a special exception should be granted or denied under the provisions of this Zoning Ordinance, the Zoning Hearing Board may call upon experts or authorities it may deem necessary to assist it in arriving at a fair and impartial determination.

17. In granting any special exception, the Zoning Hearing Board may attach such reasonable conditions and safeguards, in addition to those expressed in this Zoning Ordinance, as it may deem necessary to implement the purpose of this Zoning Ordinance.

18. Any fees assessed an applicant for a special exception, whether for a hearing or any other purpose, shall not exceed those costs directly associated with the particular application.

I. **Variances**: Variances from the provisions of Section 21040 of this Zoning Ordinance should be discouraged. However, if a variance is essential, the following requirements of the National Flood Insurance Program must be complied with in addition to all other variance provisions specified by this Zoning Ordinance and the Pennsylvania Municipalities Planning Code:

1. In all variance proceedings the burden of proof shall be on the applicant.

2. No variance shall be granted for any development, structure, use, or activity within the Floodplain Overlay District which would cause any increase in flood levels during the 100-year flood as defined by this Section of the Zoning Ordinance.

3. Variances shall only be granted upon:

a. A showing of good and sufficient cause;

b. A determination that failure to grant the variance would result in exceptional hardship to the applicant;

c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with any other applicable laws, ordinances, or regulations.

d. That the grant of a variance will not jeopardize the flood insurance program of East Lampeter Township

4. Variances shall only be granted upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

5. Whenever a variance is granted, the Zoning Hearing Board shall notify the applicant in writing that:

a. The granting of the variance may result in increased premium rates for flood insurance.

b. Such variance may increase the risks to life and property.

6. A complete record of all variance requests and actions, including justifications for granted variances, shall be maintained by East Lampeter Township.

J. **Prohibited Uses**: The following uses are prohibited within the Floodplain Overlay District:

1. All uses prohibited either expressly or implicitly in the underlying zoning district for the land in question.

2. All structures, with the exception of those specifically allowed in Sections 21040.F and 21040.G of this Zoning Ordinance.

3. Sanitary landfills, dumps, junk and salvage yards, and outdoor storage of vehicles and/or materials.

4. Placing, depositing and dumping any spoil, fill, or solid waste except such grading, filling or depositing necessary to accomplish and carry out the permitted uses and uses by special exception specified in Sections 21040.F and 21040.G of this Zoning Ordinance; provided, however, that no grading or filling is permitted which would cause any increase in flood heights or frequency.

5. Removal of topsoil, excluding sod production and nursery activities as allowed in Sections 21040.F and 21040.G of this Zoning Ordinance and except such removal of topsoil as is necessary to accomplish and carry out the permitted uses provided, however, that no grading or filling is permitted which would cause any increase in flood heights or frequency.

6. Damming or relocation of any watercourse, except as provided for in Sections 21040.F and 21040.G of this Zoning Ordinance

7. Any parts of any on-site sewage disposal systems.

8. Swimming pools.

9. Stockpiling, storage, or disposal of buoyant materials, logging slash, herbicides, pesticides, domestic or industrial waste, radioactive materials, petroleum or other flammable materials, explosives, poisonous materials, hazardous materials, or other materials which, if flooded, would pollute the watercourse or be injurious to human, animal, or plant life.

10. Cemeteries for humans or animals.

11. Zoo, menagerie, wild animal farm or farm animal enclosures which will not allow all animals to escape floodwaters of maximum flood elevation without human intervention while remaining safely confined.

12. The flood-proofing of new residential structures.

13. The development of a new manufactured home park or subdivision or the expansion of an existing manufactured home park or subdivision.

14. Any development, structure, or use which may, whether alone or in combination with others:

    a. Endanger human life;

    b. Obstruct, impede, retard, change, or increase the velocity, direction, or flow of floodwaters;

    c. Increase the surface elevation of floods, or the frequency of floods;

    d. Catch or collect debris carried by floodwaters;

    e. Be placed where the natural flow of the stream or floodwaters would carry it downstream to the damage or detriment of property within or adjacent to the Floodplain Overlay District;

    f. Degrade the water carrying capacity of any watercourse, channel, or floodplain;

    g. Degrade the quality of surface water or the quality or quantity of ground water;

    h. Be susceptible to flotation and subsequent movement which would cause damage to other property;

    i. Not be in harmony with the intent and purpose of the Floodplain Overlay District as set forth in Section 21040.A of this Zoning Ordinance.

15. Feedlots.

16. Fully enclosed spaces and partially enclosed spaces below the lowest floor.

17. Recreation vehicles and campsites.

18. Any new or substantially improved structure that will involve the production, storage, or use of radioactive substances or will be used for the production or storage of any of the following substances: acetone; ammonia; benzene; calcium carbide; carbon disulfide; celluloid; chlorine; hydrochloric acid; hydrocyanic acid; magnesium; nitric acid; oxides of nitrogen; petroleum products (gasoline, fuel oil, and similar products); phosphorus; potassium; sodium; sulphur and sulphur products; pesticides (including insecticides, fungicides and rodenticides); and/or radioactive substances.

K. **Non-Conforming Uses and Structures**: The following provisions shall apply to uses and structures within the Floodplain Overlay District:

1. Continuation: All uses or structures in the Floodplain Overlay District lawfully existing on the effective date of this Zoning Ordinance which are not in conformity with the provisions of this Zoning Ordinance shall be deemed non-conforming uses or structures. Such non-conforming uses or structures may be continued, maintained, repaired, and flood-proofed, except as otherwise provided for in this Article. However, such non-conforming uses or structures may at any time be improved to comply with existing Pennsylvania or East Lampeter Township health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

2. Abandonment: Non-conforming uses or structures which have been discontinued or vacated for twelve (12) consecutive months shall be considered abandoned. Vacation of land or structures or the non-operative status of the use normally carried on by the property shall be evidence of discontinuance. No abandoned use or structure may be re-established, repaired, or re-occupied. The East Lampeter Township Board of Supervisors may require the removal of any abandoned non-conforming use or structure upon proper notice to the owner of the property on which an abandoned non-conforming use or structure exists. If the owner has not completely removed the abandoned use or structure within a reasonable amount of time, not to exceed nine (9) months, the East Lampeter Township Board of Supervisors shall have the authority to itself cause the removal to be accomplished, the costs of such removal to be paid by the property owner.

3. Expansion and Modification: A non-conforming use or structure may not be expanded or modified in any manner which would increase or aggravate flooding or flood hazards. Nothing shall be done which would otherwise violate any of the provisions of this Zoning Ordinance. No non-conforming use or structure shall be expanded, enlarged, or altered in any way which increase its nonconformity with respect to height, area, yard, and other requirements established in other provisions of this Zoning Ordinance, nor in any way which causes it to occupy more space within the Floodplain Overlay District than was occupied by it on the effective date of these provisions for the Floodplain Overlay District.

4. Replacement and Rebuilding: A non-conforming use or structure may be replaced, repaired, or rebuilt if it is damaged or destroyed by any means, including floods, to the extent of less than fifty (50) percent of its fair market value at the time of its damage or destruction. In such a case, however, the nonconformity of the new use or structure with respect to requirements as expressed in provisions of this Zoning Ordinance shall not exceed that of the original use or structure which was damaged or destroyed. Nothing shall be done which would otherwise violate any of the provisions of the Floodplain Overlay District.

5. A non-conforming use or structure which has been damaged or destroyed by any means, including floods, to the extent of fifty (50) percent or more of its fair market value at the time of its damage or destruction may not be replaced, restored, repaired, reconstructed, improved, or rebuilt in any way other than in complete conformity and full compliance with the provisions of this Zoning Ordinance, all other Articles of the Zoning Ordinance of East Lampeter Township, and all other ordinances of East Lampeter Township. The Zoning Hearing Board may waive, as a special exception, the requirements of this paragraph where it is shown that such requirements could not be met on land owned by the appellant or where such requirements would impose undue hardship to appellant in the efficient operation of the premises. In such a case, the Zoning Hearing Board shall be authorized to grant only the minimum relief necessary, and the least modification

possible of the provisions of this Zoning Ordinance, while respecting and maintaining the purposes and intents of this Zoning Ordinance.

6. Any modification, alteration, reconstruction, or improvement of any kind that meets the definition of "repetitive loss" shall be undertaken only in full compliance with the provisions of this Zoning Ordinance.

7. The Zoning Officer shall have the initial responsibility of determining the percent of damage or destruction and the fair market value of the damaged or destroyed use or structure at the time of its damage or destruction, and may call on any experts or authorities he may deem necessary to assist him in arriving at a fair and impartial determination. Appeals of the decision of the Zoning Officer may be made to the Zoning Hearing Board.

8. Historic Structures: As part of the special exception or variance application, the Zoning Hearing Board may consider modifications to the requirements of Sections 21040.K and 21040.L of this Zoning Ordinance for any structure listed on the National Register of Historic Places or the Pennsylvania Register of Historic Sites and Landmarks, and all other provisions of the Floodplain Overlay District shall be applied in such case.

L. **Elevation and Flood-Proofing Requirements**

1. Residential Structures

a In AE, A1-30, and AH Zones, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation.

b In A Zones, where there are no Base Flood Elevations specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation determined in accordance with this Zoning Ordinance.

c In AO Zones, any new construction or substantial improvement shall have the lowest floor (including basement) at or above the highest adjacent grade at least as high as the depth number specified on the FIRM.

d The design and construction standards and specifications contained in the 2009 International Building Code (IBC) and in the 2009 International Residential Code (IRC) or the most recent revisions thereof and ASCE 24 and 34 PA Code (Chapters 401-405 as amended) shall be utilized.

2. Non-Residential Structures

a In AE, A1-30 and AH Zones, any new construction or substantial improvement of a non-residential structure shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation, or be designed and constructed so that the space enclosed below the regulatory flood elevation:

(1) is flood-proofed so that the structure is watertight with walls substantially impermeable to the passage of water and,

(2) has structural components with the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy:

b In A Zones, where there no Base Flood Elevations are specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated or completely flood-proofed up to, or above, the regulatory flood elevation determined in accordance with this Zoning Ordinance.

c In AO Zones, any new construction or substantial improvement shall have their lowest floor elevated or completely flood-proofed above the highest adjacent grade to at least as high as the depth number specified on the FIRM.

d Any non-residential structure, or part thereof, made watertight below the regulatory flood elevation

shall be flood-proofed in accordance with the WI or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations" published by the U.S. Army Corps of Engineers (June 1972, as amended March 1992) or with some other equivalent standard. All plans and specifications for such flood-proofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above referenced standards.

e The design and construction standards and specifications contained in the 2009 International Building Code (IBC) and in the 2009 International Residential Code (IRC) or the most recent revisions thereof and ASCE 24 and 34 PA Code (Chapters 401-405 as amended) shall be utilized.

3. Space Below Lowest Floor

a Fully enclosed space below the lowest floor (excluding basements) which will be used solely for the parking of a vehicle, building access, or incidental storage in an area other than a basement, shall be designed and constructed to allow for the automatic entry and exit of flood waters for the purpose of equalizing hydrostatic forces on exterior walls. The term "fully enclosed space" also includes crawl spaces.

b Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:

(1) A minimum of two openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.

(2) The bottom of all openings shall be no higher than one (1) foot above grade.

(3) Openings may be equipped with screens, louvers, etc. or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

4. Historic Structures: Refer to the definition of “Substantial Improvement” contained under “Floodplain Overlay District” as referenced under Section 2020 (Definitions of Specific Terms) and the provisions contained under Section 21050 (Historic Overlay District) of this Zoning Ordinance.

M. **Design and Performance Standards**:

1. Applicability: Unless otherwise specified by the provisions contained within this Zoning Ordinance, the standards and criteria included in the Floodplain Overlay District are to be used, together with the provisions of this Zoning Ordinance and all other ordinances in force in East Lampeter Township by the Zoning Officer and the Zoning Hearing Board in their administration of the provisions of the Floodplain Overlay Districts.

2. Regulations and Reviews by Other Agencies:

a. Where applicable and where possible, all necessary permits or other written approvals must be obtained from all other agencies before any approvals of plans, special exceptions, variances, or permits may be granted by East Lampeter Township or its agencies, officials or employees.

b. Where necessary permits or written approvals from other agencies cannot be obtained prior to action by East Lampeter Township. Any approval of plans, special exceptions, variances, or permits by East Lampeter Township or its agencies, officials, or employees shall be conditioned upon receiving such other agencies' permits or written approval.

c. No regulations of the Commonwealth of Pennsylvania governing watercourses are amended or repealed by this Section of the Zoning Ordinance. Prior to any proposed alteration or relocation of any watercourse a permit shall be obtained from the Pennsylvania Department of Environmental Protection, and notification of any such proposal shall be given to all affected adjacent municipalities. Copies of such permit, application and municipal notifications shall be forwarded to the Federal Insurance Administration and to the Pennsylvania Department of Community and Economic Development.

3. Placement and Construction of Authorized Uses, Buildings and Structures:

   a. All uses and structures shall be designed, constructed, and placed so as to offer the minimum obstruction possible to the flow of water, and shall be designed to have a minimum effect upon the flow, velocity, or height of floodwaters. Whenever possible, structures shall be constructed with the longitudinal axis parallel to the direction of flood flow, and, so far as is practicable, structures shall be placed approximately on the same flood flow lines as those of nearby structures.

   b. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage, and shall be constructed by methods and practices that minimize flood damage.

   c. All new or replacement drains, water supply facilities, or sanitary sewage facilities shall be designed to preclude infiltration or back-up of sewage or floodwaters into the facilities or structures and discharges from the facilities into floodwaters.

   d. All new on-lot sanitary sewage treatment and disposal facilities shall be prohibited within the Floodplain Overlay District.

   e. All new construction and substantial improvements of permanent non-residential structures shall either:

      (1) Have the lowest floor (including basement) elevated to one foot above the 100-year flood elevation as defined in Section 21040.C.1 of this Zoning Ordinance; or

      (2) Together with attendant utility and sanitary facilities, be flood-proofed so that below one foot above the 100-year flood elevation as defined by Section 21040.C.1 of this Zoning Ordinance the structure is watertight, with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

   f. All authorized improvements or additions to existing residential structures shall, to the greatest extent possible, be elevated. Any portion of the structure not elevated to one foot above the 100-year flood elevation as defined by Section 21040.C.1 of this Zoning Ordinance shall be flood- proofed.

   g. All new construction and substantial improvements that are fully enclosed below the lowest floor are useable solely for parking of vehicles, the building access or storage shall have permanent openings designed to allow the entry and exit of flood waters in accordance with the provisions of this Zoning Ordinance and the Federal Emergency Management Agency.

   h. All authorized new residential structures shall have the lowest floor (including basement) elevated to one foot above the 100-year flood elevation as defined by this Zoning Ordinance.

   i. The development of a new manufactured home park or subdivision or the expansion of an existing manufactured home park or subdivision shall not be permitted within East Lampeter Township.

4. Flood-Proofing: Where flood-proofing is authorized by Section 21040 of this Zoning Ordinance it shall be done according to the standards and provisions for flood-proofing, as contained in “Flood-Proofing Regulations” published by the United States Army Corps of Engineers, (June 1972 and as subsequently amended) where such standards and provisions do not conflict with other provisions of this Zoning Ordinance. Where reference is made in Flood-Proofing Regulations to the "RFD" (Regulator Flood Datum) it shall be interpreted to mean the 100-year flood elevation as defined by this Section of the Zoning Ordinance. The flood-proofing of new residential structures is specifically prohibited.

5. Fill: If fill is to be utilized as part of the construction activities or site improvements, it shall:

   a extend laterally at least fifteen (15) feet beyond the building line from all points;

   b consist of soil or small rock materials only - Sanitary Landfills shall not be permitted;

c be compacted to provide the necessary permeability and resistance to erosion, scouring, or settling;

d be no steeper than one (1) vertical to two (2) horizontal, feet unless substantiated data, justifying steeper slopes are submitted to, and approved by the Floodplain Administrator; and

e be used to the extent to which it does not adversely affect adjacent properties.

6. Drainage Facilities: Storm drainage facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner. The system shall insure proper drainage along streets, and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.

7. Water and Sanitary Sewer Systems:

a All new or replacement water supply and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of flood waters.

b Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into flood waters.

c All new on-lot sanitary sewage treatment and disposal facilities shall be prohibited within the Floodplain Overlay District.

d Repairs to existing on-lot sanitary sewer systems shall not be located within any identified floodplain area except in strict compliance with all local and state regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.

e The design and construction provisions of the UCC and FEMA #348, Protecting Building Utilities From Flood Damages and The International Private Sewage Disposal Code shall be utilized.

8. Other Utilities: All other utilities such as gas lines, electrical and telephone systems shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood. In addition, the provisions specified under Section 21040.F.4 of this Zoning Ordinance shall apply.

9. Streets: The finished elevation of all new streets shall be no more than one (1) foot below the regulatory flood elevation.

10. Storage: All materials that are buoyant, flammable, explosive, or in times of flooding, could be injurious to human, animal, or plant life, and not specifically prohibited as referenced under Section 21040.I.18 of this Zoning Ordinance shall be stored at or above the regulatory flood elevation or flood proofed to the maximum extent possible

11. Anchoring:

a All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.

b All air ducts, large pipes, storage tanks, and other similar objects or components located below the regulatory flood elevation shall be securely anchored or affixed to prevent flotation.

12. Floors, Walls and Ceilings:

a Wood flooring used at or below the Regulatory Flood Elevation shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain without causing structural damage to the building.

b Plywood used at or below the regulatory flood elevation shall be of a "marine" or "water-resistant".

c Walls and ceilings at or below the regulatory flood elevation shall be designed and constructed of materials that are "water-resistant" and will withstand inundation.

d Windows, doors, and other components at or below the regulatory flood elevation shall be made of metal or other "water-resistant" material.

13. Paints and Adhesives:

a Paints and other finishes used at or below the regulatory flood elevation shall be of "marine" or "water-resistant" quality.

b Adhesives used at or below the regulatory flood elevation shall be of a "marine" or "water-resistant" variety.

c All wooden components (doors, trim, cabinets, etc.) used at or below the regulatory flood elevation shall be finished with a "marine" or "water-resistant" paint or other finishing material.

14. Electrical Components, Mechanical Equipment and Fuel Supply Systems:

a Electrical distribution panels shall be at least three (3) feet above the base flood elevation.

b Separate electrical circuits shall serve lower levels and shall be dropped from above.

c Water heaters, furnaces, air conditioning and ventilating units, and other electrical, mechanical or utility equipment or apparatus shall not be located below the regulatory flood elevation.

d All gas and oil supply systems shall be designed to prevent the infiltration of flood waters into the system and discharges from the system into flood waters. Additional provisions shall be made for the drainage of these systems in the event that flood water infiltration occurs.

15. Agricultural Standards:

a. A filter strip is required between any watercourse and any tilled land. Such strip shall be a minimum of fifteen (15) feet in width measured from the bank of the watercourse channel. The filter strip shall be planted and maintained in grass.

b. Within the Floodplain Overlay District, a cover crop, such as annual ryegrass, is required whenever the land is not being tilled for major crops.

c. Livestock shall not be confined in pastures or other enclosures located entirely within the Floodplain Overlay District.

d. Within the Floodplain Overlay District, feedlots are prohibited.

16. Uniform Construction Code Coordination: The Standards and Specifications contained 34 PA Code (Chapters 401-405), as amended and not limited to the following provisions shall apply to the above and other sections and sub-sections of this Zoning Ordinance, to the extent that they are more restrictive and/or supplement the requirements of this Zoning Ordinance.

a. International Building Code (IBC) 2003 or the latest edition thereof: Sections 801, 1202, 1403, 1603, 1605, 1612, 3402, and Appendix G.

b. International Residential Building Code (IRC) 2003 or the latest edition thereof: Sections R104, R105, R109, R323, Appendix AE101, Appendix E and Appendix J.

N. **Building Permits**:

1. Within the Floodplain Overlay District, building permits shall be required for all proposed development, construction, reconstruction, placement, replacement, expansion, renovation, extension, repair, maintenance, or other improvement of uses or structures, regardless of value, including the placement of mobile homes and activities such as mining, dredging, filling, grading, logging, paving, excavation, or drilling operations.

2. Every building permit application for work or uses within the Floodplain Overlay District shall include or be accompanied by all information necessary for the Zoning Officer to determine that the proposal meets all the provisions of this Zoning Ordinance.

3. The following information is specifically required to accompany all permit applications involving site improvements and structures within the Floodplain Overlay District:

    a. Name and address of applicant.

    b. Site location including street address and location map.

    c. Name and address of landowner on which proposed construction is to occur.

    d. Name and address of contractor.

    e. The elevation (in relation to mean sea level) of the lowest floor (including basement).

    f. Whether or not the structure includes a basement.

    g. If the structure has been flood-proofed, the elevation (in relation to the mean sea level) to which the structure was flood-proofed.

    h. Brief description of proposed work and estimated cost, including a breakout of flood-related cost and the market value of the building before the flood damage occurred.

    i. Listing of other permits required.

    j. A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.

    k. Other pertinent information or documentation requested by the Zoning Officer.

4. If any proposed construction or development activity is located entirely or partially within any identified floodplain area, the applicant shall provide all the necessary information in sufficient detail and clarity to enable the Zoning Officer to determine that:

    a. All such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances;

    b. All utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage; and

    c. Adequate drainage is provided so as to reduce exposure to flood hazards.

    d. Structures will be anchored to prevent floatation, collapse, or lateral movement.

    e. Building materials are flood-resistant.

    f. Appropriate practices that minimize flood damage have been used.

    g. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities have been designed and located to prevent water entry or accumulation.

5. The applicant shall file the following information plus any other pertinent information required by the Zoning Officer in order to verify compliance with the Floodplain Overlay District:

    a. A completed permit application.

    b. A plan of the entire site, clearly and legibly drawn at a scale of one (1) inch being equal to one hundred (100) feet or less, showing the following:

(1) North arrow, scale, and date;

(2) Topographic contour lines;

(3) The location of all existing and proposed buildings, structures, and other improvements, including the location of any existing or proposed subdivision and development;

(4) The location of all existing streets, drives, and other access ways; and

(5) The location of any existing bodies of water or watercourses, identified floodplain areas, and information pertaining to the floodway, and the flow of water including direction and velocities.

c. Plans of all proposed buildings, structures and other improvements, drawn at suitable scale showing the following:

(1) The proposed lowest floor elevation of any proposed building based upon North American Vertical Datum of 1988.

(2) The elevation of the base flood.

(3) Supplemental information as may be necessary under the Uniform Construction Code and/or International Building Code.

d. If required by the Zoning Officer, the following data and documentation shall be submitted with the permit application:

(1) Information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a base flood; and

(2) Detailed information concerning any proposed flood-proofing measures and corresponding elevations.

(3) Documentation, certified by a registered professional engineer or architect, to show that the cumulative effect of any proposed development or site improvements will not increase the base flood elevation more than one (1) foot at any point.

(4) A document, certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the pressures, velocities, impact and uplift forces associated with the base flood.

(5) Such statement shall include a description of the type and extent of flood- proofing measures which have been incorporated into the design of the structure and/or the development.

(6) Detailed information needed to determine compliance with storage and development that may endanger human life.

(7) The appropriate component of the Department of Environmental Protection's "Planning Module for Land Development".

(8) Where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection, to implement and maintain erosion and sedimentation control.

e. Where flood-proofing is proposed to be utilized for a particular structure, the building permit application shall be accompanied by a document certified by a licensed professional engineer registered by the Commonwealth of Pennsylvania or a licensed professional architect registered by the Commonwealth of Pennsylvania certifying that the flood-proofing methods used meet the provisions of specified by this Zoning Ordinance and the Uniform Construction Code, which shall be adequate to withstand the flood depths, pressures, velocities, impact, and uplift forces, and other

factors associated with the 100-year flood as defined by this Zoning Ordinance and the Uniform Construction Code, and indicating the specific elevation (in relation to mean sea level) to which such structure is flood-proofed.

6. A copy of all plans and applications for proposed construction or other improvements within the Floodplain Overlay District to be considered for approval may be submitted by the Zoning Officer to any other professional consultants and/or agency for review and comment.

7. Permits shall be accompanied by an application fee that shall be made payable to East Lampeter Township.

O. **Technical Requirements**:

1. No application for a permit shall be approved unless it can be determined that the structure or activity will be located, constructed and maintained in a manner which will:

   a. Fully protect the health and safety of the general public and any occupants of the structure. At a minimum, all new structures shall be designed, located, and constructed so that:

      (1) the structure will survive inundation by waters of the base flood without any lateral movement or damage to either the structure itself, or to any of its equipment or contents below the Base Flood Elevation.

      (2) the lowest floor (including the basement) will be elevated to at least one and one half (1 ½) feet above the Base Flood Elevation.

      (3) the occupants of the structure can remain inside for an indefinite period of time and be safely evacuated at any time during the base flood.

   b. Prevent any significant possibility of pollution, increased flood levels or flows, or debris endangering life and property.

2. Alteration or Relocation of Watercourse:

   a. No encroachment, alteration, or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the municipality, and until all required permits or approvals have been first obtained from the Pennsylvania Department of Environmental Protection.

   b. No encroachment, alteration, or improvement of any kind shall be made to any watercourse unless it can be shown that the activity will not reduce or impede the flood carrying capacity of the watercourse in any way.

   c. In addition, the Federal Emergency Management Agency, Pennsylvania Emergency Management Agency and Pennsylvania Department of Community and Economic Development, shall be notified prior to any alteration or relocation of any watercourse.

3. Technical or scientific data shall be submitted to East Lampeter Township and the Federal Emergency Management Agency f at least six (6) months prior to start of any new construction, development, or other activity resulting in changes in the base flood elevation. The situations when a letter of Map Revision or a Conditional Letter of Map Revision are required are:

   a. Any development that causes a rise in the base flood elevations within the floodway; or

   b. Alteration or relocation of a stream (including but not limited to installing culverts and bridges).

4. Base flood elevation data shall be provided for subdivision or other land development proposals that exceed fifty (50) lots or five (5) acres of land area.

5. Any new construction, development, uses or activities allowed within any identified floodplain area shall be undertaken in strict compliance with the provisions contained in this Zoning Ordinance and any other applicable codes, ordinances and regulations.

P. **Boundary Changes**:

1. Floodplain Boundary: The identified floodplain area may be revised or modified by the Board of Supervisors where studies or information provided by a qualified agency or professional documents the need for such revision. However, prior to any such change, approval must be obtained from the Federal Emergency Management Agency (FEMA).

2. Municipal Review: All technical or scientific data shall be submitted to East Lampeter Township and the Federal Emergency Management Agency at least six (6) months prior to start of any new construction, development, or other activity resulting in changes in the base flood elevation.

3. Jurisdictional Boundary: Prior to development occurring in areas where annexation or other corporate boundary changes are proposed or have occurred, East Lampeter Township shall review flood hazard data affecting the lands subject to boundary changes. East Lampeter Township shall adopt and enforce floodplain regulations in areas subject to annexation or corporate boundary changes as per state and feral requirements.

Q. **Municipal Liability**:

1. The lawful granting of a permit or the making of any other administrative decision under the provisions of this Zoning Ordinance shall not constitute a representation, guarantee, or warranty of any kind by East Lampeter Township, or by any official, agent, or employee thereof, of the practicability or safety of any structure, use, or other plan proposed with respect to damage from flood or otherwise, and shall create no liability upon, or a cause of action against, such public body, official, agent or employee for any flood damage that may result pursuant thereto or as a result of reliance of this Zoning Ordinance.

2. There area no assurances that lands not included in the Floodplain Overlay District are now or ever will be free from floodplain or damage control.

3. The degree of flood protection sought by the provisions of this Zoning Ordinance is considered reasonable for regulatory purposes and is based on accepted engineering methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Ordinance does not imply that areas outside any identified floodplain areas, or that land uses permitted within such areas will be free from flooding or flood damages.

4. This Zoning Ordinance shall not create liability on the part of East Lampeter Township or any officer or employee thereof for any flood damages that result from reliance on this Zoning Ordinance or any administrative decision lawfully made in accordance with this Zoning Ordinance.

R. **Enforcement, Appeals and Penalties**:

1. East Lampeter Township shall enforce the provisions specified by the Floodplain Overlay District in accordance with the provisions of this Zoning Ordinance. The provisions for enforcement are further specified under Section 25040 of this Zoning Ordinance.

2. All appeals shall be considered in accordance with the provisions of Section 25120 of this Zoning Ordinance.

3. All penalties shall be considered in accordance with the provisions specified under Section 25140 of this Zoning Ordinance.

S. **Severability and Discrepancy Clause**: If any section, paragraph, sentence, clause or phrase of Section 21040 of this Zoning Ordinance shall be declared unconstitutional, illegal or invalid for any reason, whereas, such a decision shall not affect the remaining portions of this Zoning Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Zoning Ordinance are hereby declared severable.

T. **Municipal Enactment**: The provisions of Section 21040 of this Zoning Ordinance have been enacted in accordance with the provisions of East Lampeter Township and the Federal Emergency Management Agency. The municipal enactment provisions endorsed by the Board of Supervisors are contained under Article 26 of this Zoning Ordinance.

Section 21050: Historic Resource Overlay District

A. **Purpose**: The Historic Resource Overlay District shall be an overlay to the underlying zoning districts of East Lampeter Township. The purpose of the Historic Overlay District is outlined as follows:

1. To provide the means that East Lampeter Township can protect and preserve historic resources.

2. To initiate a process of public and technical review prior to the demolition or relocation of historic structures.

3. To provide alternatives generally unavailable to uses other than historic resources as a means of encouraging their preservation and use.

4. To implement the goals, objectives and recommendations of the Comprehensive Plan.

B. **Application and Defined Terms**:

1. The provisions of the Historic Resource Overlay District are intended to establish an overlay zone which is applicable to historical resources within all zoning districts established by this Zoning Ordinance. To the extent that the provisions of this section are more specific and shall supersede conflicting provisions within other provisions of this Zoning Ordinance and all other ordinances of East Lampeter Township. However, all other provisions of this Zoning Ordinance and all other ordinances of East Lampeter Township shall remain in full force.

2. The provisions for the Historic Resource Overlay District contain technical and reference terms that are further defined under Sections 2020 and 21050 of this Zoning Ordinance.

3. The Historic Resource Overlay District imposes a conditional use review process for the proposed demolition or relocation of historic resources in accordance with the provisions of this Zoning Ordinance.

4. In addition to the provisions specified for the Historic Resource Overlay District by this Zoning Ordinance, the provisions established by the state and federal agencies with jurisdiction shall apply

C. **Historic Resources**: For the purposes of this Zoning Ordinance, the following terms are hereby described and defined:

1. The term “historic resource” shall include a building or structure, whereas because of its’ local, state or national significance is considered as a historical resource. The historical resources shall include those identified or documented by: the National Register of Historical Places; the Pennsylvania Historical and Museum Commission; and/or identified in the Comprehensive Plan.

2. The term an “historic resource” or "historic site" shall include property that contains an historic structure as specified under this section of the Zoning Ordinance.

D. **Demolition or Relocation of an Historic Resources**:

1. No historic resource shall be demolished or relocated until the applicant has complied with the provisions established by East Lampeter Township and the Commonwealth of Pennsylvania.

2. Prior to the application for demolition and relocation of a historic resource, the applicant shall be required to comply with the procedural requirements established by the Historic Preservation Trust of Lancaster County (HPTLC). As part of this process the applicant shall provide East Lampeter Township and the HPTLC with the following information that may be available for the historic resource:

   a. Historic deeds, surveys and site plans of the subject property;

   b. Current and historic photos of the property; and,

   c. A description of the historic reasons why the historic resource cannot accommodate a permitted use and the demolition is warranted.

d. The applicant shall notify the East Lampeter Zoning Officer of any meetings relative to the demolition and relocation of the historic resource.

E. **Permitted Uses of an Historic Resource**:

1. Notwithstanding the uses permitted by right, special exception and/or conditional use within each respective underlying zoning district listed elsewhere within this Zoning Ordinance, an historic resource may, by conditional use, be adapted for any use listed in the following Section 21050.E.2 of this Zoning Ordinance. Approval of the use of an historic resource shall be conditioned based upon the ongoing status of the historic resource. If the Board of Supervisors determines that the subject property no longer qualifies for designation as a "historic resource", the permitted use and redevelopment options specified under this section shall not apply. The following guidelines shall apply:

   a. The proposed use will enable the preservation, restoration or rehabilitation of the historic resource. The applicant is required to submit expert evidence that any alterations, improvements, extensions, additions or other modifications to the historic site will be accomplished in a manner that does not jeopardize the historic status of the site and/or its structures.

   b. Any use permitted under Section 21050.E.2 of this Zoning Ordinance shall comply with the area, bulk and dimensional requirements of the most restrictive zoning district in which the use is permitted as a matter of right.

2. The following uses of a historical resource shall be permitted by conditional use, subject to the specific criteria specified under Article 23 (Supplemental Regulations) of this Zoning Ordinance and any other regulations listed with the following respective uses:

   a. Bed and breakfast establishment, subject to the provisions specified under Section 23110 (Bed and Breakfast Establishment) of this Zoning Ordinance.

   b. Medical, dental, vision care and counseling clinics, subject to the provisions specified under Section 23470 (medical, Dental, Vision Care and Counseling Clinic) of this Zoning Ordinance.

   c. Museum, exclusively for the display of artistic, historic or cultural items and activities that are unique to the community, subject to the provisions specified under Section 23510 (Museum) of this Zoning Ordinance. Demonstration of unique manufacturing heritage of the community (e.g., quilting, blacksmithing, woodworking, soap making or food preparation) may be permitted as an accessory use when:

      (1) The gross floor area used for both demonstration and sales is no greater than five (5) percent of the total museum property, up to 10,000 square feet;

      (2) The area for associated sales of goods and services is located adjacent to the demonstration area and is no greater than two (2) times the demonstration area; and

      (3) Access to the demonstration area is only through the entrance to the museum.

   d. Office for administrative, business, executive, professional and government uses, subject to the provisions specified under of Section 23540 (Office) of this Zoning Ordinance.

   e. Personal service facility containing no drive-through service lanes, subject to the provisions specified under Section 23570 (Personal Service Facility) of this Zoning Ordinance. A tanning salon shall be excluded as a personal service establishment.

   f. Places of worship, subject to the provisions specified under Section 23580 (Places of Worship) of this Zoning Ordinance.

   g. Restaurants containing no drive-through service lanes, subject to the provisions of Section 23680.2 (Restaurants with No Drive-Through Service Lanes) of this Zoning Ordinance and provided that the

primary orientation of the facility is for all food to be served and consumed in the building where prepared or on a patio which is specifically designed for this purpose. Outdoor seating is permitted, subject to the following criteria:

(1) The outdoor seating area is situated and designed so as not to be adversely impacted by potential nearby adjoining uses, nor to adversely impact nearby uses;

(2) The outdoor seating area shall be accessory to the principal interior seating accommodations;

(3) During use, the outdoor seating area shall be continuously supervised by the owner or an employee of the restaurant;

(4) Any exterior lighting serving the outdoor seating area shall be designed and operated so as not to constitute a nuisance to adjoining properties. All such exterior lighting shall not be illuminated after 10:00 pm;

(5) Any exterior music serving such outdoor seating area shall not be not be detected at the property line. All such exterior music shall not be transmitted or played after 10:00 pm;

(6) No live music or entertainment shall be permitted within the outdoor seating area or any other exterior areas of the restaurant;

(7) The applicant shall furnish and implement a working plan for the continuous cleanup of litter and debris that may result from such outdoor seating; and

(8) All exterior seating shall be removed during seasons when not in use.

h. Retail bakery and confectioners containing no drive-through service lanes, subject to the provisions specified under Section 23690 of this Zoning Ordinance.

i. Retail craft store with subordinate manufacturing or assembly services, subject to the provisions specified under Section 23700 of this Zoning Ordinance.

j. Retail sales containing no drive-through service lanes, subject to the provisions specified under Section 23700 of this Zoning Ordinance.

k. Townhouses and multi-family dwellings.

l. Other uses that are compatible with the surrounding area, to enable the preservation, restoration or rehabilitation of that property, as determined acceptable by the Board of Supervisors as part of the conditional use application.

m. Accessory uses customarily incidental to the above principal uses subject to the applicable regulations listed with each respective principal use.

Article 22: General Regulations

Section 22010: Statement of Intent and Application

A. The purpose and objective of the provisions established under Article 22 of this Zoning Ordinance is to establish general regulations for residential and non-residential land uses.

B. The provisions contained under Article 22 of this Zoning Ordinance are intended to serve as minimum requirements to promote the public health, safety and the general welfare of the residents and property owners. These regulations shall supplement and not replace the provisions established in this Zoning Ordinance.

C. Unless otherwise specified within this Zoning Ordinance and/or where the general regulations contained in Article 22 impose greater restrictions than those of any other statute, ordinance or regulation, the provisions established under Article 22 of this Zoning Ordinance shall prevail.

Section 22020: Access to Lots, Buildings, Structures and Uses

A. All buildings and structures that are erected or moved shall be located on a lot adjacent to a public street or an approved private street. The erection of buildings without approved access shall not be permitted.

B. All buildings and structures shall be so located on the lots in such a manner to provide safe and convenient access for emergency vehicles and off-street parking.

C. Access to all permitted uses shall comply with the provisions specified by this Zoning Ordinance.

Section 22030: Accessory Uses, Buildings and Structures

A. General Provisions: Accessory buildings and structures including garages, carports, swimming pools, therapeutic spas, hot tubs, horse barns, pole building, barns, utility sheds, storage buildings, residential gardens, tennis courts, non-recreational structures, gazebos, greenhouses, miscellaneous landscaping features, and other similar accessory uses, buildings and structures, shall comply with the location, size, coverage and height provisions that are specified by the general provisions contained under Section 22030 of this Zoning Ordinance. Where the general regulations are not specified, the provisions of the underlying zoning district on which the accessory use, building or structure is located shall apply.

B. Accessory building and structures shall count towards the building coverage and lot coverage for the lot to which the accessory building or structure is located.

C. Barns, Pole Barns and Horse Barns: The following provisions shall apply to barns, pole barns and horse barns:

1. Barns utilized as part of a permitted agricultural operation shall comply with the area, bulk, setback and height requirements that are specified by the zoning district to which the barn is located.

2. Pole barns utilized as part of a permitted use shall comply with the area, bulk, setback and height requirements that are specified by the zoning district to which the barn is located.

3. Horse barns utilized as part of a permitted agricultural operation shall comply with the provisions that are specified under Section 23030 of this Zoning Ordinance.

4. Horse barns utilized for transportation and are accessory to a residential use as shall comply with the provisions contained under Section 23380 of this Zoning Ordinance.

D. Decks, Patios and Terraces: The following provisions shall apply to decks, patios and terraces:

1. Decks, patios and terraces located on a lot occupied by a single-family detached dwelling unit shall comply with the building setback requirements of the zoning district to which they are located.

2. Decks, patios and terraces located on a lot occupied by a single-family semi-detached dwelling or townhouse dwelling may be located along the common lot line, provided that they do not project onto another property and comply with the remaining setback requirements.

3. Decks, patios and/or terraces located on a lot occupied by a single-family detached dwelling unit or by a single-family semi-detached dwelling may be covered provided that it is in accordance with all building code requirements.

4. Decks, patios and terraces located on a lot occupied by a townhouse dwelling may only be located in the rear yard and subject to the following provisions:

   a. It shall be extended no more than twelve (12) feet from any rear wall of a townhouse dwelling to which it is accessory. The patio, deck or similar structure may follow the contour of the existing structural wall or window of the townhouse unit.

   b. Unless otherwise designed as a uniform feature within the development, no patio, deck, terrace or similar structure shall be enclosed or under roof.

   c. If a patio, deck or similar structure extends into the side yard setback or rear yard setback otherwise required by this chapter, no other accessory structure shall be located closer to the patio, deck, similar structure or lot line than the permitted setback for an accessory structure.

   d. No patio, deck or similar structure shall extend into the minimum space required between any townhouse building faces otherwise required by this Zoning Ordinance.

   e. A patio, deck or similar structure which meets the requirements of this chapter shall be included in the determination of the impervious surface ratio and the building coverage for the lot. Where designed and planned as a unified development, the cumulative total impervious surface ratio and cumulative total building coverage shall also apply.

5. Deck, patios and terraces located on a lot occupied by a non-residential use shall comply with the area, bulk and setback requirements that are specified by the zoning district in which it is located.

E. Garages and Carports: All private garages and carports that are designated for a permitted use shall comply with the area, dimensional, lot coverage and height requirements that are specified by the zoning district to which the garage or carport is located. All private garages and carports shall be located, designed and constructed in accordance with the provisions of East Lampeter Township. All commercial garages or public garages shall comply with the provisions specified under Section 23310 of this Zoning Ordinance.

F. Sheds: All sheds that are designated for a permitted use shall comply with the area, dimensional, lot coverage and height requirements that are specified by the zoning district to which the shed is located. All sheds shall be located, designed and constructed in accordance with the provisions of East Lampeter Township.

G. Swimming Pools: Non-commercial swimming pools, which are designed to contain water at a depth of twenty-four (24) inches or more, that are utilized for the purpose of swimming and bathing shall comply with the following standards and specifications:

1. Non-commercial swimming Pools shall include in-ground swimming pools, above-ground swimming pools, portable swimming pools and/or inflatable swimming pools, which are considered as a residential accessory use that is not open to the public or utilized as a commercial recreation use.

2. The swimming pool shall be utilized as a residential accessory use, which shall only be available to the family of the householder and their private guests.

3. The swimming pool including the decking, apron, filters, pumps and related equipment shall be located at least fifteen (15) feet behind front face of the principal building and shall comply with the minimum side and rear yard setback requirements for the zoning district on which the swimming pool is located.

4. The swimming pools shall be considered as an impervious surface that shall apply towards the lot coverage requirements.

5. The water from a swimming pool shall not be discharged into a sanitary sewer system or onto any public street or alley. These requirements shall not apply to man-made ponds, lakes, or other impoundments unless the primary purpose for their construction is swimming.

6. No swimming pool shall be permitted without an operable filtration system that utilizes some antibacterial agent, such as chlorine, bromine or other acceptable method. Fish ponds and landscape ponds are exempt.

7. Inflatable and/or portable swimming pools shall be subject to the provisions of this Zoning Ordinance.

8. Any flood lighting or other illumination used in conjunction with the swimming pool shall be shielded and directed away from adjacent property owners.

9. All swimming pools shall comply with the appropriate provisions for permits, construction, plumbing, sanitation, inspection, operation and maintenance, which are further defined and outlined by East Lampeter Township

10. The pool shall be used or intended to be used in connection with a residential use and available only to the family of the householder and their private guests.

11. Commercial swimming pools shall comply with the provisions specified under Section 23620 of this Zoning Ordinance

H. Therapeutic Spas or Hot Tubs: Therapeutic spas or hot tubs, which are designed to contain a water depth of twenty-four (24) inches or more shall comply with the following standards and specifications:

1. The therapeutic spa or hot tub shall be utilized as a residential accessory use, which shall only be available to the family of the householder and their private guests.

2. The therapeutic spa or hot tub, including the filters, pumps and other mechanical or structural equipment shall be located at least fifteen (15) feet behind front face of the principal building and shall comply with the minimum side and rear yard setback requirements for the zoning district on which the therapeutic spa or hot tube is located.

3. The therapeutic spa or hot tub shall be considered as an impervious surface that shall apply towards the lot coverage requirements.

4. Any flood lighting or other illumination used in conjunction with the therapeutic spa or hot tub shall be shielded and directed away from adjacent property owners.

5. The therapeutic spa or hot tub shall be completely enclosed by a cover in accordance with the manufacturer's specifications of the manufacturer and the codes established by East Lampeter Township.

6. The therapeutic spa or hot tub shall comply with the requirements for permits, construction, plumbing, sanitation, inspection, operation and maintenance, which are further regulated under the codes adopted by East Lampeter Township.

I. Non-Commercial Recreation Uses: Permanent non-commercial recreation facilities, structures and uses shall comply with the following requirements:

1. The non-commercial recreational uses shall include tennis courts, hockey rinks, skateboard facilities, basketball courts, and other similar accessory uses, where the cumulative playing surface area exceeds one thousand (1,000) square feet.

2. The use including all structural facilities ground surfaces and fences shall comply with the building setback and lot coverage requirements for the zoning district on which the permanent non-commercial recreation use is located.

3. The maximum height of any required structural fence associated with the non-commercial recreation use shall be six (6) feet. This maximum height may be extended if an open mesh net is utilized and does not exceed a height of twelve (12) feet.

4. Any exterior lighting facilities for the non-commercial recreation facilities, structures or uses shall comply with the building setback requirements. The maximum height of the lighting facilities shall be ten (10) feet. All such lighting facilities shall be directed downward to the playing surface area and shielded to prevent light spillage onto adjacent properties.

J. Repair of Motor Vehicles: The routine maintenance, repair, and servicing of personal motor vehicles, owned or leased by the person performing such services unless performed inside a completely-enclosed building, is permitted by an occupant of the residence, but only in compliance with the following:

1. All such vehicles shall bear current license and registration unless inside a completely-enclosed building.

2. All work shall be performed on the property of the vehicle owner or by a resident of that property working on a vehicle owned by the resident family.

3. Work on the motor vehicles shall be limited to the following:

a. Servicing and replacement of spark plugs, batteries, distributors, and distributor parts.

b. Repair and replacement of tires and wheels, excluding recapping or re-grooving.

c. Replacement of water hoses, fan belts, brake fluids, transmission fluid, oil filters, air filters, oil, grease, light bulbs, fuses, floor mats and carpeting, seat covers, seat belts, windshield wipers, mirrors, and engine coolants.

d. Repair and replacement of audio, television, video systems, amplifiers, and speakers;

e. Cleaning and flushing of radiators, but only when flushed into a watertight container and disposed of properly as a Hazardous Household Waste.

f. Repair and replacement of fuel pump, oil pump, and line repairs.

g. Minor servicing and adjustment of fuel systems including carburetors and injectors.

h. Minor motor adjustments not involving the removal of the motor head or crankcase, nor the prolonged revving of the motor.

i. Minor body repairs, excluding the replacement of body parts, the complete repainting of the body, and the application of undercoating.

j. Cleaning of all exterior and interior surfaces, including washing, shampooing, vacuuming, rubbing, polishing, waxing, and the application of paint sealants.

4. All by-products and waste fuels, lubricants, chemicals, and other products shall be disposed of properly.

5. No vehicle shall be stored in a "jacked-up" position or on blocks for more than seventy-two (72) continuous hours unless inside a completely enclosed building.

K. Miscellaneous Landscape Features:

1. No trellis, pergola, swing set, paved area or other miscellaneous features, excluding fences and driveways shall be allowed within two (2) feet of the property line.

2. Gazebos and pavilions shall comply with the building setback and lot coverage requirements for the zoning district on which the gazebo is located.

3. Fences, walls and hedges shall comply with the provisions specified by Section 22070 (Fences, Walls and Hedges) of this Zoning Ordinance.

L. Domestic Animal Shelters: Domestic animal shelters or housing units may be permitted provided that the structure is located at least fifteen (15) feet behind the front façade of the residential dwelling and ten (10) feet from the side or rear property line. Additional provisions are further specified under Section 22040 of this Zoning Ordinance.

M. Non-Commercial Greenhouses: The following provisions shall apply to non-commercial greenhouses that exceed eighty (80) square feet in size:

1. Non-commercial greenhouses located on a lot occupied by a residential use shall comply with the building setback requirements of the zoning district to which the non-commercial greenhouse is located.

2. All non-commercial greenhouses shall not exceed not exceed five hundred (500) square feet per acre of land and shall not exceed five thousand (5,000) cumulative square feet in total gross covered floor area occupied by all of the non-commercial green houses located on the property.

3. Commercial greenhouses, as defined by this Zoning Ordinance, shall comply with the provisions specified under Section 23330 (Greenhouse as a Commercial Use) of this Zoning Ordinance.

N. Agricultural Activities as an Accessory Use: Residential uses containing accessory agricultural activities or uses with less than ten (10) acres located within the AG, R-1, R-2, R-3, MU, BH, VG, VC and VR Zoning District shall comply with the following provisions:

1. No farm animals of any kind shall be permitted on a residential lot containing less than 5,000 square feet of lot area.

2. For residential lots containing 5,000 square feet and less than 20,000 square feet of lot area, the following provisions shall apply:

   a. Fowl or poultry including chickens, ducks, pheasants and quail may be permitted provided that the total number does not exceed five (5) animals.

   b. All other farm animals including roosters shall not be permitted.

   c. The fowl or poultry shall be contained in an aviary within the rear yard of the lot and shall be located a minimum of ten (10) feet from the property line.

3. For residential lots containing 20,000 square feet and less than one (1) acre of lot area, the following provisions shall apply:

   a. Fowl or poultry including chickens, ducks, pheasants and quail may be permitted provided that the total number does not exceed ten (10) animals.

   b. All other farm animals including roosters shall not be permitted.

   c. The fowl or poultry shall be contained in an aviary within the rear yard of the lot and shall be located a minimum of ten (10) feet from the property line.

4. For residential lots containing one (1) acre and less than ten (10) acres, the following provisions shall apply:

   a. Farm animals may be permitted provided that the maximum animal weight shall not exceed one (1) pound of farm animal per fifty (50) square feet of land area.

   b. Roosters shall not be permitted.

   c. All farm animals shall be securely contained within an aviary or fenced within the rear yard of the lot and shall be located a minimum of ten (10) feet from the property line.

5. All permitted agricultural accessory activities and uses shall be securely contained or fenced.

6. Agricultural activities as an accessory use shall be for the use and/or consumption of the resident on which the agricultural accessory use is located.

7. Agricultural activities as an accessory use shall not be permitted as part of a multi-family use.

8. Provisions relating to residential gardens are specified under Section 22030.G of this Zoning Ordinance.

9. Horses utilized for transportation purposes shall be subject to the provisions contained under Section 23380 of this Zoning Ordinance.

O. Alternative Energy Facilities: Alternative energy facilities as a permitted accessory use or principal use shall comply with the provisions specified under Section 23050 of this Zoning Ordinance.

P. Satellite Communications Facilities: Satellite communication facilities for transmitting or receiving signals as a permitted use shall comply with the provisions specified under Section 23730 of this Zoning Ordinance.

Q. Non-Residential Accessory Uses, Buildings and Structures: Unless otherwise specified by this Zoning Ordinance, all permitted non-residential accessory uses, buildings and structures shall comply with the area, bulk, setback and height requirements specified by the zoning district to which the non-residential use, building or structure is located.

Section 22040: Animals and Pets

A. No person shall keep a wild or exotic animal.

B. No person shall sell, offer for sale or adoption, exchange or transfer, with or without charge, any wild or exotic animal.

C. Domestic animal shelters or housing units may be permitted provided that the structure is located at least fifteen (15) feet behind the front façade of the residential dwelling and ten (10) feet from the side or rear property line.

Section 22050: Clear Sight Triangles and Visibility at Street Intersections

A. All driveways and access lanes shall be located, designed and constructed in accordance with the provisions established by East Lampeter Township and the Pennsylvania Department of Transportation.

B. Clear sight triangle shall be provided and maintained at all street intersections and for street and driveway intersections. The following provisions shall apply:

1. Street Intersections: Where a stop condition does not exist, the triangle shall be established by measuring one hundred (100) feet from the point of intersection of the centerline of the street. Within the clear sight triangle, no buildings, structures, embankments and/or vegetative plantings shall be permitted above a height of three (3) and below a height of (10) feet, as measured from the ground elevation, which has the potential to obstruct sight distance and visibility at the street intersection.

2. Driveway Intersections: Where a stop condition does not exist, the triangle shall be established by measuring fifty (50) feet from the point of intersection of the centerline of the street. Within the clear sight triangle, no buildings, structures, embankments and/or vegetative plantings shall be permitted above a height of three (3) and below a height of (10) feet, as measured from the ground elevation, which has the potential to obstruct sight distance and visibility at the street intersection.

C. Street signs, traffic lights, traffic control signs, utility poles and/or mail boxes may be erected within a street clear sight triangle where a stop or controlled condition does not exist provided that it has been approved or permitted by the agency with jurisdiction.

D. Unless otherwise permitted by the Pennsylvania Department of Transportation or East Lampeter Township. No fence, wall, hedge and/or landscaping feature shall be erected or planted within or encroaching upon the street right-of-way.

E. All proposed streets, driveways and access drives shall be located, designed and constructed as to provide optimum sight distance and visibility at the intersection with the existing or proposed street.

Section 22060: Reserved

Section 22070: Fences, Walls and Hedges

A. Fences, walls and/or hedges may be permitted within and along the periphery of any required yard provided:

1. Unless otherwise permitted by East Lampeter Township, no fence, wall and/or hedge shall be erected or planted within or encroaching upon the street right-of-way, floodway, pedestrian pathway, utility easement, stormwater management facility and/or drainage easement.

2. No fence, wall and/or hedge shall be erected in any manner that obstructs a clear line of sight or vision from a driveway or street intersection. Visibility along the street shall not be reduced to a level less than the visibility prior to the installation of the fence, wall or hedge.

3. Fences and walls are permitted within a required yard area, provided that the fence or wall is located, constructed and maintained in accordance with the requirements specified by this Zoning Ordinance.

4. Fences and walls located within the front yard shall not exceed a height of three (3) feet. Where necessary, a retaining wall may be erected within the front yard provided that it does not exceed six (6) feet in height.

5. Unless otherwise permitted by this Zoning Ordinance, fences and walls located within the side yard or rear yard of a permitted use within the AG, R-1, R-2, R-3, C-1, MU, BH, VG, VC and VR Zoning Districts shall not exceed six (6) feet in height.

6. A retaining wall may be erected within the side or rear yard provided that it does not exceed four (4) feet in height. Where necessary, a taller retaining wall may be permitted provided that such retaining wall has been designed by a professional engineer licensed within the Commonwealth of Pennsylvania and that adequate safeguards and maintenance provisions have been established.

7. All permitted fences and walls shall be constructed out of durable building materials and shall be installed and erected in accordance with the specifications of the manufacturer.

Section 22080: Reserved

Section 22090: Garage Sales

A. Within any zoning district, the landowner or occupant of a residential lot may conduct up to two (2) garage sales per calendar year subject to the following standards:

1. No garage/yard sale shall be conducted for a period longer than three (3) consecutive days. The total of such sales may not exceed six (6) cumulative days per calendar year.

2. Garage sales may offer personal possessions for sale. No importing of materials or stocking of inventory shall be permitted.

3. All proposed signs shall be considered temporary use and shall comply with the provisions specified under Section 22230 of this Zoning Ordinance.

4. In no case shall any aspect of the garage/yard sale be conducted in the street right-of-way.

B. Garage sales exceeding the provisions or parameters of Section 22090.A of the Zoning Ordinance shall be considered a commercial business, which shall require authorization in accordance with this Zoning Ordinance.

Section 22100: Height Limit Exceptions

A. The height regulations specified within each zoning district shall not apply to the following structures or projections, provided that such structures or projections are setback a horizontal distance at least equal to their height from all property lines.

1. Water towers, antennas, utility poles, smokestacks, chimneys, flagpoles, and similar structures.

2. Roof-top structures for the housing of elevators, stairways, water storage tanks, ventilating fans, and other mechanical appurtenances.

3. Parapet walls or cornices used for ornamental purposes if not in excess of five (5) feet above the roof line.

B. In no case shall any freestanding or roof-top structure above the maximum permitted height be used for the purpose of providing additional floor space for residential, institutional, commercial, or industrial purposes.

C. Provisions relating to the Airport Overlay District are contained under Section 21030 of this Zoning Ordinance. In no event shall any structure exceed eighty-five (85) feet in height above natural average grade without the Zoning Hearing Board granting a special exception, subject to the following criteria.

1. Certification by a Commonwealth-registered surveyor that the height of the proposed structure does not extend above the height ceiling depicted on the "Airport Hazard Area for Lancaster Airport" map.

2. The applicant shall furnish a letter from the Lancaster Airport Authority indicating that the proposed use has been reviewed and would not violate the permitted height restrictions listed in the Federal Aviation Regulations No. 77, as amended.

3. Certification by a Commonwealth-registered surveyor that the proposed use does not extend above the height ceiling depicted on the "Height Limitation and Zoning District Map" prepared by Robert Kimball and Associates, for the Smoketown Airport. The same surveyor shall certify that the proposed use would not violate the height restrictions listed in the Federal Aviation Regulations No. 77, as amended.

Section 22110: Licenses, Permits and Certifications

A. Any lawful use, occupation, event and/or activity that require a license or permit from a local, state or federal agency with jurisdiction shall be issued and submitted to East Lampeter Township prior to the approval of any pending application that requires approval by East Lampeter Township.

B. Any lawful use or occupation that requires the landowner, practitioner, employee, volunteer and/or occupant to be certified or licensed as a professional to perform activities or functions shall submit such certification or licenses to East Lampeter Township prior to the approval of any pending application that requires approval by East Lampeter Township.

C. All general service, building, construction, maintenance and repair activities shall comply with the provisions by East Lampeter and the Uniform Construction Code.

Section 22120: Reserved

Section 22130: Lot Size and Lot Width Reductions

A. Unless otherwise specified by this Zoning Ordinance, the net lot area for all proposed lots shall be no smaller than the minimum lot size for the zoning district in which the lot is located.

B. No lot, even though it may consist of one (1) or more adjacent lots of record, shall be reduced in area so that yards, lot area per dwelling unit, lot width, or other requirements of this Zoning Ordinance are not maintained. This shall not apply when a portion of a lot is acquired for a public utility or municipal use.

C. Lot width reductions or "flag lots", as defined under Section 2020 of this Zoning Ordinance, shall be permitted within the AG, R-1, R-2, R-3, MU, BH, VG, VC and VR Zoning Districts. The following provisions shall apply to flag lots:

1. Prior to a formal submission of a subdivision plan containing a flag lot, the applicant is encouraged to submit an informal plan for review and consideration by East Lampeter Township. In all cases, the applicant must demonstrate that the following site conditions exist:

a. A flag lot design shall only be permitted if East Lampeter Township determines that the design is in the best interest of the community considering health, safety and/or general welfare issues.

b. The tract of land cannot be properly subdivided due to the presence of certain physical or environmental development constraints that are associated with the site.

c. The configuration of the proposed lot(s) will not limit the potential for development on adjacent tracts of land in the future.

d. Single-family detached dwellings are the only type of uses that can be permitted on a flag lot.

2. As part of the informal review, East Lampeter Township shall determine if the flag lot design is acceptable and provide directions for the submission of a formal plan for further review and consideration.

3. Where the use of the flag lot design has been approved by East Lampeter Township, the subdivision shall be designed in accordance with the following requirements:

a. The pole or stem of the flag lot shall be owned fee simple and extended from an existing public road to the interior front lot line.

b. The width of the pole or stem shall be a minimum of twenty (20) feet. The required width shall increased by ten (10) feet for each additional residential lot that the pole or stem serves, which may result as follows: thirty (30) foot width for three (3) flag lots; forty (40) foot width for four (4) flag lots; and fifty (50) foot width for a maximum of five (5) flag lots. Additional width may also be required in order to overcome problems associated with slope, drainage and/or sedimentation.

c. The maximum length of the pole or stem shall be as follows:

(1) The maximum length of the pole or stem shall be three hundred (300) hundred feet for a permitted flag lot within the AG and R-1 Zoning Districts.

(2) The maximum length of the pole or stem shall be two hundred (200) hundred feet for a permitted flag lot within the R-2, R-3, MU, VG, VC and VR Zoning Districts.

(3) The length of the pole or stem shall be measured from the public street right-of-way to the interior front lot line.

d. The net lot area for each flag lot shall meet or exceed the minimum lot area for a single-family dwelling for the zoning district on which the flag lot is located. The area of the pole or stem shall not be included as part of the net lot area for the flag lot.

e. The building setback line for the flag lot shall meet the minimum required setback dimensions for the zoning district in which the flag lot is located. The setback lines shall be measured from the edge of the pole or stem of the lot. The front yard depth or setback shall be measured from the pole or stem (extended through the lot) and from the rear property line. All other setback requirements shall comply with the rear yard setback provisions.

f. The maximum building coverage requirement and the maximum impervious surface ratio requirement shall be calculated utilizing the base lot area requirement for a standard lot within the zoning district in which the flag lot is located.

g. The driveway serving flag lot shall be designed and constructed to consider: emergency management response capabilities; stormwater management facilities; utilities; and topographic and hydrological conditions.

4. If the tract of land contains any residue or undeveloped land area, the applicant shall submit an informal plan depicting how the remaining area will be developed or perpetually as open space.

5. Unless the site conditions change as a result of improved roads and/or the re-establishment of lot frontages, flag lots may not be further subdivided or developed for any other purpose.

Section 22140: Reserved

Section 22150: Off-Street Loading

A. Application: Off-street loading shall be located, designed and constructed in accordance with the provisions of this Zoning Ordinance. These facilities shall be provided whenever the use of the property or building has changed that either requires off-street loading facilities or additional off-street loading spaces to accommodate the change in use.

B. Location: Off-street loading spaces shall be provided on the same lot as the use that it serves.

C. Design Standards: The following general design standards shall apply to off-street loading facilities:

1. Site Conflicts: Off-street loading spaces shall be design so that there will be no internal site conflicts with other designated accessory or subordinate uses on the site.

2. Space Sizes: Off-street loading spaces shall have a rectangular shape that complies with following dimensional requirements:

a. Off-street loading spaces with a length of sixty (60) feet, width of twelve (12) feet, and clearance height of fifteen (15) feet for the following uses: amusement parks; concentrated animal feeding operation; concentrated animal operation; convention center; heavy equipment sales, service and repair facilities; home improvement and building supply stores; manufacturing uses; motor freight terminal; processing and packaging of agricultural products; self-storage facilities; shopping centers; transportation depot; warehouse, wholesale and distribution centers.

b. Off-street loading spaces with a length of thirty (30) feet, width of twelve (12) feet, and clearance height of fifteen (15) feet shall be required for all other non-residential uses provided the landowner or applicant can demonstrate that the use will not require larger trucks to access the site for loading and unloading activities.

c. If required by East Lampeter Township, off-street loading space(s) with a length of thirty (30) feet, width of twelve (12) feet, and clearance height of fifteen (15) feet shall be required for a regional impact development containing residential uses.

d. The dimensional requirements specified for the required off-street lading spaces shall not include areas designated as access drives, entrances, and exits. Spaces that are designed on an angle shall require additional length and width to achieve the rectangular shape.

3. Composition: All driveways, access lanes and loading space areas shall be paved with an all-weather surface that shall be subject to the approval of East Lampeter Township. Unless otherwise specified by this Zoning Ordinance, the all-weather surface composition shall not apply to a permitted agricultural use on a farm containing more than ten (10) acres.

4. Signs: All traffic control signs within the off-street loading area shall be located in accordance with the provisions specified by East Lampeter Township and the Pennsylvania Department of Transportation.

5. Additional Criteria: In addition to the design standards that are specified under Section 22150 of this Zoning Ordinance, the driveway, access lane and loading space shall comply with the pertinent design requirements that are specified under Sections 22050 and 22160 of this Zoning Ordinance.

D. Screening and Landscaping:

1. Where the lot is adjacent to the AG, R-1, R-2, R-3 and VR Zoning Districts, the landscaping strip shall comply with the following provisions:

a. The width of the landscaped strip shall be equal to the width of the required side yard for that Zoning District or fifteen (15) feet whichever is the greater distance; and,

b. The width of the landscaped strip along a rear lot line shall be equal to the width of the required rear yard of that district, or fifteen feet (15) feet whichever is the greater distance.

c. The use of existing healthy mature trees (12 inches or more in caliber) is encouraged and may be utilized as part of the required landscaping strip.

2. The landscaping requirements and buffer yard shall be comprised of trees, shrubs and other plantings that will establish a complete visual barrier within five (5) years of the initial planting.

3. The design of the landscaping strip shall be subject to the approval of East Lampeter Township.

E. Required Off-Street Loading Spaces: The total number of off-street loading spaces shall be determined by the requirements specified on Table 22150.1 of this Zoning Ordinance.

F. Reductions: and Modifications: The number of required off-street loading spaces shall conform to the provisions contained within the matrix chart specified under Section 22150.E of this Zoning Ordinance. East Lampeter Township may consider a reduction or modification to these requirements under the following conditions:

1. The required loading spaces may be reduced or eliminated if the applicant or developer can provide documentation that the use will not require any truck deliveries at the site. This reduction or elimination shall only apply to the loading space requirements designated with footnote (1) on the matrix chart.

2. The required loading spaces may be reduced depending upon the specific needs and intensity of the use. As part of this reduction, the applicant shall provide documentation concerning the number of anticipated truck deliveries to the site. East Lampeter Township shall consult with its Engineer and Zoning Officer to determine the required number of loading spaces. This reduction shall only apply to the loading space requirements designated with footnote (2) on the matrix chart.

3. Where the off-street loading requirements contained under Section 22150.E of this Zoning Ordinance does not specify a loading space requirement for a use, East Lampeter Township shall consult with its Engineer and Zoning Officer to determine the required number of loading spaces. This modification shall only apply to the loading space requirements designated with footnote (3) on the matrix chart.

G. Fractions: Where the computations for off-street loading spaces results in a fractional number greater than ¼ or 0.25, the fractional number shall be rounded up to the next whole number. The Zoning Officer shall determine or verify the number of off-street loading and parking spaces that are required for a specific use.

H. Continuation: All designated off-street loading spaces shall be continued and maintained so long as the use in which the spaces were originally designed for are still in operation or existence. Unless otherwise approved by East Lampeter Township, the designated off-street loading spaces shall not be reduced in size or modified in any manner.

I. Plan Requirements: A land development plan or site shall be required for all proposed site improvements involving a proposed off-street loading area. The plan should demonstrate compliance with this Zoning Ordinance as well as the Subdivision and Land Development Ordinance.

J. Prohibited Uses: Any non-permitted uses and activities that compromise the requirements of Sections 22150 and 22160 of this Zoning Ordinance shall be prohibited.

Table 22150.1: Categorical Off-Street Loading Space Requirements		
Land Use Category	**Gross Floor Area or Units**	**Required Spaces**
Commercial office uses including: financial institution; office buildings	Less than 25,000 square feet (1)	1
	25,000 to 50,000 square feet (2)	2
	Over 50,000 square feet (2)	3
Commercial retail uses including: convenience store; grocery store; home improvement store; retail sales, professional service establishment, and other similar commercial retail uses	Less than 25,000 square feet (1)	1
	25,000 to 50,000 square feet (2)	2
	50,000 to 100,000 square feet (2)	3
	Over 100,000 square feet (2)	4
Shopping Center	Less than 75,000 square feet (3) 1 space per 25,000 square feet	1 to 3
	75,000 and 150,000 square feet (3) 1 space per 25,000 square feet	4 to 6
	Over 150,000 square feet (3) 1 space per 50,000 square feet	7
Specialty retail uses including: adult uses; medical, dental, vision care and health clinic; funeral home; restaurants;	Less than 25,000 square feet (1)	1
	25,000 to 50,000 square feet (2)	2
	Over 50,000 square feet (2)	3
Regional uses and facilities including: airports and heliports; amusement parks; convention center; hotels and motels; hospitals and medical centers	Less than 50,000 square feet (1)	1
	50,000 to 100,000 square feet (2)	2
	Over 100,000 square feet (2)	3
Institutional uses including: places of worship; schools; residential facility for care of the aged or infirm	Less than 50,000 square feet (1)	1
	50,000 to 100,000 square feet (2)	2
	Over 100,000 square feet (2)	3
General industrial uses including: manufacturing; motor freight terminal; transportation depot; warehousing and distribution; wholesaling and distribution	Less than 25,000 square feet (1)	1
	25,000 to 50,000 square feet (2)	2
	50,000 to 100,000 square feet (2)	3
	Over 100,000 square feet (2)	4
Specialty industrial uses including: heavy equipment sales, service and repair; laboratory; mass transit depot; processing and packaging of animal products; repair facility; recycling center; self-storage facility	Less than 25,000 square feet (1)	1
	25,000 to 50,000 square feet (2)	2
	50,000 to 100,000 square feet (2)	3
	Over 100,000 square feet (2)	4

1. Denotes that the off-street loading requirement may be reduced or eliminated if the applicant or developer provides documentation to East Lampeter Township that the use will not need or utilize the off-street loading space. Refer to Section 22150.F.1 of this Zoning Ordinance for additional details.
2. Denotes that the off-street loading requirement may be reduced or increased by East Lampeter Township depending upon the needs and intensity of the use. Refer to Section 22150.F.2 of this Zoning Ordinance for additional details.
3. Denotes that the total number of off-street loading requirement shall be determined by East Lampeter Township.
4. Uses not specified in this matrix chart should refer to Section 22150.F.3 of this Zoning Ordinance.

Section 22160: Off-Street Parking

A. Application: Off-street parking facilities shall be located, designed and constructed in accordance with the provisions of this Zoning Ordinance. These facilities shall be provided whenever the following actions occur:

1. A new building has been constructed or a new use has been established in accordance with the provisions of this Zoning Ordnance.

2. The use of the building or property has changed that requires additional off-street parking spaces to accommodate the change in use.

3. An existing building or use has been altered or expanded such that more off-street parking spaces are required to accommodate the alteration altered or expansion.

4. An off-street parking facility shall include the driveways, access drives, access isles and parking spaces.

B. Location: The following provisions shall apply to the location of off-street parking facilities:

1. Off-street parking spaces for residential uses shall be located on the same lot as the use served.

2. Unless otherwise permitted by East Lampeter Township, off-street parking spaces for non-residential uses shall be located on the same lot as the use being served.

3. All parking facilities shall be arranged and marked to provide safe and orderly movement without disrupting traffic or moving other vehicles. The design of parking areas for all uses shall be such to prevent the back up of vehicles on a public street and that no portion of any parked vehicle extends over any property line.

C. General Design Standards: The following general design standards shall apply to off-street parking facilities:

1. Accessibility: All off-street parking spaces shall have access to a street by means of a driveway or access lane that complies with the provisions of this Zoning Ordinance.

2. Space Sizes: All proposed off-street parking spaces shall comply with the following criteria:

a. Within an off-street parking lot, each parking space for motor vehicles (except those spaces dedicated for use by handicapped persons) shall have a minimum area of one hundred sixty-two (162) square feet with a minimum width of nine (9) feet and a minimum length of eighteen (18) feet. Angled spaces will need to be longer in order to achieve the rectangular shape with the minimum dimensions.

b. The maximum size of a parking space shall be no larger than one hundred eighty (180) square feet.

c. Where parallel parking is permitted, the parking spaces shall be delineated by painted lines and shall have a minimum width of eight (8) feet as measured from the curb or cartway edge and a minimum length of twenty-three (23) feet as measured along the curb or cartway edge.

3. Grade: The off-street parking areas shall be properly graded to provide convenient vehicular access and proper drainage and shall be maintained in usable condition. The minimum grade of areas used for parking shall be at least one (1) percent and the maximum grade shall not exceed five (5) percent.

4. Composition: All driveways, access lanes and parking space areas shall be paved with an all-weather surface that shall be subject to the approval of East Lampeter Township. Unless otherwise specified by this Zoning Ordinance, the all-weather surface composition shall not apply to a permitted agricultural use on a farm containing more than ten (10) acres.

5. Markings: All parking facilities shall be adequately marked and maintained for the purpose of defining parking spaces and interior drives.

6. Signs: All traffic control signs within the off-street parking area shall be located, designed and installed in as per the provisions specified by East Lampeter Township and the Pennsylvania Department of Transportation.

D. Screening and Landscaping:

1. Parking areas for non-residential uses, which are designed to contain more than five (5) vehicles shall be screened from adjacent land areas within the AG, R-1, R-2, R-3 and VR Zoning Districts. The screening shall be comprised of a fence, wall and/or landscaping materials of at least four (4) feet in height, which shall be designed to obstruct headlight glare of the parked cars.

2. Off-street parking areas shall be suitably landscaped in order to enhance or buffer the surrounding area. Raised concrete or curbed planter islands shall be placed at each end of a row of parking spaces, which begins or terminates at an internal circulation drive, and within each row of parking spaces. The raised planter islands shall be placed so that there are not more than fifteen (15) off-street parking spaces in a continuous row without an intervening landscaped planter island. The raised continuous concrete curbing shall be required around each planting island. Each such island shall be at least one hundred sixty-two (162) square feet in size and planted with landscaping materials.

3. Landscape islands shall be required every 15 parking spaces.

4. The design of the landscaping strip shall be subject to the approval of East Lampeter Township.

E. Required Off-Street Parking Spaces: The number of off-street parking spaces to be provided for each use shall be sufficient to accommodate all occupants, employees, visitors and customer parking. The required number of spaces specified by Table 22160.1 of this Zoning Ordinance shall be located exclusive of any street right-of-way or other use.

F. Reductions and Modifications: The following provisions shall apply to the reductions and modifications that may be applied to the number of off-street parking requirements:

1. Joint parking facilities for two (2) or more uses may be established, provided that the number of spaces provided is not less than the sum total of the spaces required for each individual use.

2. A reduction of the total number of required off-street parking spaces that are specified under Section 22160.E of this Zoning Ordinance may be permitted, subject to the following criteria:

   a. The total number of off-street parking spaces may be reduced by twenty (20) percent if the landowner or applicant provides documentation from a published transportation manual to support that the use does not warrant the total number of spaces required.

   b. The total number of off-street parking spaces may be reduced by twenty (20) percent if the landowner or applicant can demonstrates that common or shared off-street parking spaces shall be capable of accommodating the peak demands for employees and patrons.

   c. The total number of off-street parking spaces may be reduced by ten (10) percent if the landowner or applicant can demonstrates that the employees and/or patrons will utilize public transportation services or other modes of transportation, which are not related to the use of automobiles.

   d. The maximum permitted reduction of off-street parking spaces shall not exceed fifty (50) percent of the required total number of spaces specified under Section 22160.E of this Zoning Ordinance.

   e. The landowner or applicant shall provide documentation to support that the use can function with the reduced off-street parking spaces.

3. Off-premises parking spaces at other locations within one thousand (1,000) feet of the principal use may be permitted in order to satisfy the requirements for off-street parking spaces, provided that the landowner or applicant secures an agreement with the owner of the property, which will accommodate the additional demands for off-street parking. All off-premises parking areas shall consider safety, accessibility and convenience for the pedestrians traveling between the points of destination within East Lampeter Township.

4. For all non-residential uses, the off-street parking space requirements of a principal use shall not exceed more than one hundred twenty-five (125) percent of the minimum requirements specified under Section 22160.E of this Zoning Ordinance. Any increase over the maximum total number of permitted off-street parking spaces shall be reviewed and considered by the Board of Supervisors.

Table 22160.1: Categorical Off-Street Parking Requirements		
Use	**Land Use Category**	**Off-Street Parking Requirement**
Agricultural Uses	Concentrated Animal Feeding Operation or Concentrated Animal Operation	1 parking space per employee on the 2 largest successive shifts combined
	Farm-Support Use	1 parking space per employee plus 2 parking space for customers or visitors
	Greenhouse and Nursery	1 parking space per 400 square feet of gross floor area for retail sales plus 1 space per employee
	Kennel	1 parking space per 10 animals kept or housed plus 1 parking space per employee
	Roadside Stand	1 parking space per 50 square feet of display area
	Other Agricultural Uses	As determine appropriate by East Lampeter Township
Commercial Uses	Adult Use	1 parking space per 200 square feet of gross floor area plus 1 parking space per employee
	Airport or Heliport	1 parking space per 5 airplanes or helicopter maintained on site plus 1 parking space per employee
	Automobile Repair, Sales and Service	1 parking space per 500 square feet of retail space plus 1 parking space per maintained vehicle plus 1 parking space per employee
	Car Wash	4 parking spaces per service bay plus 1 parking space per employee plus required area for drive-through service lanes
	Cemetery	1 parking space per employee plus a common parking area to accommodate guests and visitors
	Convenience Store	1 parking space per 200 square feet of gross floor area plus 1 parking pace per employee
	Convention Center	1 parking space per 2 seats, which may be available on chairs, seats, pews, benches or bleachers
	Day Care Facility as a Commercial Use	1 parking space per 6 occupants plus 4 stacking spaces for loading/unloading plus 1 parking space per employee
	Dry Cleaner	1 parking space per 400 square feet of gross floor area plus 1 parking space per employee
	Farmers Market	1 parking space per 200 square feet of gross floor area plus 1 parking space per employee
	Financial Institutions	1 parking space per 200 square feet of gross floor area plus 1 parking space per employee
	Funeral Home	1 parking space per 100 square feet of gross floor area plus 1 parking space per employee
	Grocery Store	1 parking space per 200 square feet of gross floor area plus 1 parking space per employee
	Home Improvement Center and Building Supply Store	1 parking space per 200 square feet of gross floor area plus 1 parking space per employee
	Hotel or Motel	1 parking space per rental unit, plus 1 parking space per employee on the maximum shift plus accessory uses
	Laboratory	1 parking space per 200 square feet of gross floor area plus 1 parking space per employee on the maximum shift
	Laundromat	1 parking space per 2 washers plus 1 parking space per employee

Table 22160.1: Categorical Off-Street Parking Requirements		
Use	**Land Use Category**	**Off-Street Parking Requirement**
	Medical, Dental, Vision Care and Counseling Clinic	4 parking spaces per room, area or table designated for treatment, examination, observation, diagnostic testing, evaluation and/or consultation services.
	Multiple Commercial Support Operations	Parking requirements shall be determined by the proposed uses that are part of the multiple commercial support operations.
	Off-Track Betting Facility or Gaming Facility	1 parking space per 50 square feet of gross floor area plus 1 parking space per employee on the maximum shift
	Office	1 parking space per 1,000 square feet of gross floor area
	Personal Service Facility	1 parking space per 200 square feet of gross floor area plus 1 parking space per employee on the maximum shift
	Principal Uses Permitted in Combination	Parking requirements shall be determined by the principal uses that are permitted in combination
	Restaurant	1 parking space per 4 seats plus 1 parking space per 100 square feet of common waiting area, bar service area or social area plus 1 parking space per employee
	Retail Bakery or Confectioner	1 parking space per 300 square feet of gross floor area plus 1 space per employee plus loading spaces
	Retail Sales	1 parking space per 250 square feet of gross floor area plus 1 space per employee
	Shopping Centers	3.5 parking spaces per 1,000 square feet of gross floor area
	Theater	1 parking space per 3 seats, which may be available on chairs, seats, pews, benches or bleachers
	Veterinary Office	4 parking spaces per practitioner engaged with the principal services plus 1 space per employee
	Other Commercial Uses	As determined appropriate by East Lampeter Township
Industrial Uses	Heavy Equipment, Sales, Service and Repair Facility	1 parking space per 2 employees on the highest shift
	Manufacturing, Use	1 parking space per 2 employees on the highest shift
	Mass Transit Depot	1 parking space per 2 employees on the highest shift
	Motor Freight Terminal	1 parking space per 2 employees on the highest shift
	Repair Facility as an accessory use for products produced on-site	Parking requirements shall be determined by the principal use plus 1 space for each repair vehicle stored on-site
	Self-Storage Facilities	1 parking space per employee plus 1 parking space per 10,000 square feet of gross floor area
	Transportation Depot	1 parking space per 2 employees on the highest shift
	Warehouse and Distribution Center	1 parking space per 2 employees on the highest shift
	Wholesale and Distribution Facility	1 parking space per 2 employees on the highest shift
	Other Industrial Uses	As determine appropriate by East Lampeter Township

Table 22160.1: Categorical Off-Street Parking Requirements		
Use	**Land Use Category**	**Off-Street Parking Requirement**
Institutional and Other Non-Residential Uses	Emergency Service Facility	1 parking space per 4 emergency service personnel plus parking spaces for accessory social clubs or facilities
	Hospital or Medical Center	1 visiting parking space per 1.5 accommodations (beds) plus 1 space for each employee on the maximum shift
	Library and Museum	1 parking space per 400 square feet of gross floor area plus 1 parking space per employee
	Nursing Home, Personal Care Facility or Convalescent Home	1 parking space per 5 beds plus 1 space per employee and visiting medical staff on the maximum shift
	Municipal Use	Parking requirements for a municipal use shall be determined by East Lampeter Township
	Orphanage	1 parking space per 10 beds plus 1 parking space per employee and visiting medical staff on the maximum shift
	Places of Worship	1 parking space per 3 seats, which may be available on chairs, seats, pews, benches or bleachers
	Public Utility Building and/or Structure	1 parking space per employees on the 2 largest shifts
	Residential Care Facility	1 parking space per 4 beds plus 1 space per employee and visiting medical staff on the maximum shift; refer to Section 23670
	School: Auditorium, Gymnasium, Social Hall, and other place for public assembly	1 parking space per 3 seats, which may be available on chairs, seats, pews, benches or bleachers
	School: Nursery School through the 9th Grade.	1 parking space per 10 students plus 1 space per employee plus auditorium, gymnasium, social hall or assembly requirements
	School: 10th through 12th Grade; Vocational; or Higher Learning Facility	1 parking space per 4 students plus 1 space per employee plus auditorium, gymnasium, social hall or assembly requirements
	Social Club or Fraternal Lodge	1 parking space per 150 square feet of gross floor area plus 1 space per employee
	State or County Highway Maintenance Facility	1 parking space per employee on the 2 largest shifts combined plus 1 space for each vehicle stored on-site
	United States Post Office	1 parking space per employee (total)
	Other Institutional Uses	As determined appropriate by East Lampeter Township
Recreational Uses	Amusement Park	1 parking space per 4 patrons (peak season) plus 1 bus space per 40 patrons (peak season) plus 1 parking space per employee
	Bowling Alley	4 parking spaces per lane plus 1 parking space per employee
	Campgrounds	1 parking spaces per campsite plus 1 parking space per employee
	Golf Course	4 parking spaces per tee plus 1 parking space per employee plus parking spaces for accessory uses
	Recreation Use, Amusement Arcade	1 parking space per 50 square feet of gross floor area plus 1 parking space per employee on the maximum shift
	Recreation Use, Commercial	1 parking space per 200 square feet of gross floor area plus 1 parking space per employee on the maximum shift
	Recreation Use, Municipal	Parking requirements for a municipal use shall be determined by East Lampeter Township
	Recreation Use, Private or Restricted	1 parking space per 4 persons of total membership capacity plus 1 space per employee or as required by East Lampeter Township
	Other Recreational Use	As determined appropriate by East Lampeter Township

Table 22160.1: Categorical Off-Street Parking Requirements		
Use	**Land Use Category**	**Off-Street Parking Requirement**
Residential Uses	Apartment as an accessory use to a permitted non-residential use	1 parking space for the apartment unit plus the parking and loading spaces required for the permitted non-residential use
	Apartment as an accessory use to a permitted single-family dwelling	1 parking space for the apartment unit plus 2 parking spaces for the permitted single-family dwelling
	Bed and Breakfast Est.; Boarding House; or Tourist Home	2 spaces for the principal residential use plus 1 parking space per rental unit
	Community Center located within a Residential Development	1 parking space per 400 square feet plus 1 parking space per employee
	ECHO Housing as an Accessory Use	1 parking space for the ECHO unit
	Home Occupation	1 parking space per employee
	Manufactured Home Park	1.5 parking spaces per residential unit plus 1 space per employee plus 1 parking space per 40 residential units for visitor parking
	Multi-Family Dwelling Units	1.5 parking spaces per residential unit plus 1 space per employee plus 1 parking space per 40 residential units for visitor parking
	Optional Density Incentive Development	2 parking spaces per residential unit plus required parking spaces for other uses; refer to Section 23550 of this Zoning Ordinance
	Residential Retirement Community	1.5 parking spaces per residential unit plus 1 parking space per 40 residential units for visitor parking; refer to Section 23670
	Single-Family Detached Units	2 parking spaces per residential unit
	Single-Family Attached Dwelling as a Second Dwelling	2 parking spaces for the principal residential use plus 2 parking spaces for the attached dwelling
	Single-Family Semi-Detached Units	2 parking spaces per residential unit
	Townhouses	1.5 parking spaces per residential unit
	Other Residential Uses	As determined appropriate by East Lampeter Township

G. Handicapped Space Requirements: All required handicapped parking spaces shall located, designed and constructed in order to comply with the provisions specified by the American Disabilities Act, the Uniform Construction Code, and all other pertinent codes and standards adopted by East Lampeter Township.

H. Access Drives and Fire Lanes: The width of aisles within the off-street parking facilities shall comply with the following minimum requirements:

1. Where the angles of the parking spaces are at ninety (90) degrees angles, the width of the aisle shall be twenty-four (24) feet in width and may accommodate two (2) way travel.

2. Where the angles of the parking spaces are at sixty (60) degrees angles, the width of the aisle shall be eighteen (18) feet in width and shall be restricted to one (1) way travel.

3. Where the angles of the parking spaces are at forty-five (45) degrees angles, the width of the aisle shall be twelve (12) feet in width and shall be restricted to one (1) way travel.

4. Unless otherwise permitted by East Lampeter Township, the parking spaces shall not be designed with angles of less than forty-five (45) degrees.

5. The driveways, access drives and fire lanes shall be designed and constructed in accordance with the provisions that are further specified by East Lampeter Township and the Commonwealth of Pennsylvania.

The driveway, access lanes and/or fire lanes shall not be not be considered an off-street parking space and/or utilized to comply with the off-street parking space requirements of this Zoning Ordinance.

6. The curb radius within the off-street parking facilities shall be a minimum of five (5) feet.

7. All dead-end parking lots shall be designed to provide sufficient back-up area for all end spaces.

8. Where drive-through service lanes are permitted, the following provisions shall apply:

   a. The limits of the service lanes including any designated area for stacking or queuing shall be located along the side or rear of the principal building.

   b. The service lane(s) shall be designed with adequate storage capacity.

   c. The drive-through service lanes shall not be considered an off-street parking space and/or utilized to comply with the off-street parking space requirements of this Zoning Ordinance.

5. Driveways and interior access lanes shall be designed so as to prevent traffic congestion at points of ingress and egress. All designated areas for parking and loading of trucks and/or other commercial vehicles shall be arranged so they may be utilized without interfering with the interior traffic circulation and parking facilities.

6. All means of ingress and/or egress shall be located and designed to accommodate traffic in a safe and efficient manner. The landowner or developer shall be responsible for the purchase and installation of any traffic control devices and the construction of additional acceleration and/or deceleration lanes as may be required by the Pennsylvania Department of Transportation or East Lampeter Township.

7. Unless otherwise specified by East Lampeter Township, all driveways, access lanes, loading areas and parking areas shall be located, designed and constructed with an all-weather surface that shall be subject to the review and approval of East Lampeter Township.

I. Horse and Buggy Standards: Horse and buggy parking facilities for non-residential uses and when deemed necessary by the Zoning Officer at places of public assembly shall be provided in accordance with the following regulations:

1. The parking spaces for a horse and buggy shall have a minimum area of one hundred sixty-two (162) square feet, which shall have a minimum width of nine (9) feet and a minimum length of eighteen (18) feet. The minimum lot area shall be one hundred sixty-two (162) square feet and the maximum lot area shall not exceed one-hundred eighty (180) square feet.

2. A minimum of two (2) off-street parking spaces shall be designated as horse and buggy spaces for all non-residential uses containing more than 5,000 square feet of gross floor area.

3. No tie-up space or covered shelter or shed shall be located within fifty (50) feet of any dwelling or within thirty (30) feet of any street right-of-way.

4. Each horse and buggy parking area shall be equipped with a device to which the horse can be hitched. A hitching rail with no protrusions that might entangle the horse is preferred, although other means of hitching are acceptable.

5. The horse and buggy parking area shall be paved with concrete or with a light brushed surface for safety and sanitation reasons.

6. Manure and filth shall not be permitted to accumulate and the cleanup will be the responsibility of the proprietor on a daily basis.

J. Miscellaneous Design Criteria: Provisions for speed control, traffic calming, mass-transit facilities, signs, landscaping lighting and other miscellaneous design requirements are further specified within this Zoning Ordinance and/or by the East Lampeter Township Subdivision and Land Development Ordinance.

K. Prohibited Uses: Off-street parking facilities are designed for the sole purposes of providing a temporary space for vehicles to be parked on a parcel of land with a permitted use that requires off-street parking facilities. The following uses and activities shall be prohibited:

1. The sale, display, or storage of motor vehicles, boats and/or recreation vehicles that occupies designated parking spaces for the principal use.

2. Automobile service and maintenance activities that are considered as active, continuous or on-going for a period of more than thirty (30) consecutive days.

3. Any non-permitted uses and activities that compromise the requirements of this Zoning Ordinance.

Section 22170: Operations and Performance Standards

A. All permitted uses within East Lampeter Township shall operate in compliance with all applicable local, state and federal regulations relating to: air quality; noise and vibration; odor; light, heat and glare; solid waste management; sanitary sewage disposal; water supply; utility and energy; outdoor storage; and other similar regulations..

B. All permitted uses within East Lampeter Township shall operate in compliance with the regulations adopted by East Lampeter Township as well as all applicable state and federal regulations. The following is partial list of local, state and federal governmental regulations associated with various land uses and their impacts:

1. Noise pollution and vibration: "Rules and Regulations" of the Commonwealth of Pennsylvania, as well as any and all regulations that may succeed or replace these regulations.

2. Air pollution, airborne emissions, and odor: "Rules and Regulations" of the Commonwealth of Pennsylvania, as well as any and all regulations that may succeed or replace these regulations.

3. Mechanical ventilation outlets associated with the service and/or repair work areas shall comply with all state and federal air quality and emission standards.

4. Water pollution: The Clean Streams Law, June 22, 1937 P.L. 1987, 35 P.S. 691.1 as amended, as well as any and all regulations that may succeed or replace these regulations.

5. Mine reclamation and open pit setback: Pennsylvania Act No. 1984-219, the "Noncoal Surface Mining Conservation and Reclamation Act," and all regulations that may succeed or replace these regulations.

6. Glare and heat: "Rule and Regulations" of the Commonwealth of Pennsylvania, as well as any and all regulations that may succeed or replace these regulations.

C. The list specified under Section 22170.A of this Zoning Ordinance does not exclude or limit state or federal jurisdiction over uses in East Lampeter Township, but merely provides information to applicants and landowners.

Section 22180: Parking of Commercial Vehicles and Trailers

A. One (1) commercial vehicle of not more than a PennDOT Class 1 may be parked in the AG, R-1, R-2, R-3, MU, BH, VG, VC and VR Zoning Districts, where the use of such vehicle is not incidental to the use of the premises. Where the use of such vehicle is not incidental to the use of the premises, subject to the following conditions:

1. No business, occupation, or service shall be conducted therein.

2. Nor shall any parking space therein be leased to a non-occupant of the lot.

3. The commercial vehicle must be parked behind the building setback line.

4. Vehicle must be parked at least one hundred (100) feet from any property line or at least two hundred (200) feet from any property line if truck or refrigeration unit is left running.

5. The driveway upon which a commercial vehicle is parked must have sufficient area for a truck turnaround so that the vehicle can enter and exit the site in a forwarded direction

B. Motor vehicles or trailers of any kind or type without current license plates and current inspection stickers shall not be parked or stored upon any property other than in a completely enclosed garage or other accessory building. This requirement shall not apply to implements and other farm related equipment

Section 22190: Projections into Yards

A. The following projections shall be permitted into required yards and shall not be considered in the determination of the lot coverage requirements:

1. Projecting architectural features (such as bay windows, cornices, eaves, fireplaces, chimneys, window sills, and similar features) provided that any single such feature does not exceed five (5) square feet in external area, when viewed in plan view.

2. Uncovered stairs and landings, provided that such stairs or landings do not exceed three (3) feet six (6) inches in height.

3. Open balconies and fire escapes, provided that such balcony or fire escape is not supported on the ground and does not project more than five (5) feet into any yard or within three (3) feet of any property line.

4. Cornices, eaves and gutters may not project further than eighteen (18) inches into the required setback.

B. No projection of a building shall extend over an adjacent lot line. In situations where the property line is in doubt, the Zoning Officer may require the property owner to have a professional land surveyor determine and mark the precise limits of the property line in question.

Section 22200: Screening and Landscaping Requirements

A. Non-residential uses (buildings, storage areas, loading areas and/or parking areas) that are adjoining to properties that are located within the AG, R-1, R-2, R-3 and VR Zoning Districts should contain screening and landscaping.

B. All screening and landscaping materials shall be planted and maintained in a manner that does not disrupt any permitted agricultural uses and activities contained on a farm.

C. All screening and landscaping materials shall be planted and maintained in a manner that does not disrupt the principal and/or accessory uses on adjacent properties.

Section 22210: Setback Requirements

A. General Criteria: Unless otherwise specified by this Zoning Ordinance, the minimum front, side and rear yard setbacks are specified by the zoning district on which the lot is located. Where there are more restrictive setback requirements established under Article 23 of this Zoning Ordinance, such setback requirement shall applied rather than those general requirements specified under Articles 3 through 20 of this Zoning Ordinance:

B. Corner Lots: The following provisions shall apply to corner lots:

1. On every corner lot there shall be provided along each street frontage a front yard that complies with the provisions of this Zoning Ordinance.

2. Lot lines perpendicular or radial to a street right-of-way shall be deemed side lot lines, and a side yard shall be provided, as measured from the lot line in accordance with the setback requirements of the applicable zoning district.

3. The effect of this section shall be that four-sided lots on a corner (i.e., having two adjacent street frontages) shall, for the purposes of this Zoning Ordinance and notwithstanding the orientation of any building thereon, have two (2) front yards, two (2) side yards, and no rear yard.

4. In the case of an irregularly shaped lot having more than four (4) sides, front and side yards shall be as defined above; the remaining lot lines shall, for the purposes of this Zoning Ordinance and notwithstanding the orientation of any building thereon, be deemed rear lot lines and a rear yard shall be measured from the lot line in accordance with the requirements of the applicable zoning district.

5. In cases in which an existing lot of record is changed or converted into a corner lot, as the result of an adjacent subdivision or land development, the front yard of the existing lot shall be established along the public street to which it originally had frontage as well as along the proposed or new road to which it will have frontage. All other setback requirements shall conform with the appropriate side yard setback requirements for the zoning district on which the pre-existing lot is located.

6. No existing conforming lot of record shall be changed to a non-conforming corner lot of record as a result of site improvements for a subdivision or land development plan.

Section 22220: Shopping Carts and Seasonal Sidewalk Displays

A. Shopping Cart Storage: For those uses that provide shopping carts for use by customers, the outdoor storage and collection of shopping carts is permitted subject to the following.

1. Shopping carts may be collected and stored at the storefront (upon sidewalks or under a canopy) and/or within the parking lot.

2. In no case shall the shopping cart storage and collection areas be located upon any facilities used for vehicle circulation, or emergency vehicle access provisions.

3. Shopping cart storage and collection areas may be situated to provide clear pedestrian access (sidewalk or other area) at least nine (9) feet wide and eighteen (18) feet deep adjoining the storefront or within the off-street parking area..

B. Seasonal Sidewalk Displays: The following provisions shall apply to seasonal sidewalk sales:

1. The seasonal sidewalk display area must be directly affiliated with the principal use on the property.

2. The location of such outdoor displays shall be limited to sidewalks, under canopies, and other areas immediately in front of the building storefront. The stacking or display of such items shall be arranged to provide clear pedestrian access (sidewalk or other area).

3. In no case shall the location of such sidewalk display areas occur within any area used for vehicular circulation, required parking and loading areas, or emergency vehicle access provisions (e.g., fire lanes).

4. No additional signs, except as authorized by this Zoning Ordinance shall be permitted.

Section 22230: Signs

A. Purpose: The provisions for signs and billboards have been established to meet the following objectives:

1. To provide for signs as a means of effective visual communication.

2. To promote adopted comprehensive planning and zoning objectives.

3. To assure compatibility of signs with land uses and buildings in the vicinity of the signs and in the community as a whole.

4. To improve the safety of pedestrians, vehicular traffic, and property.

5. To enhance the economic value of the community.

6. To enhance the esthetic environment.

7. To minimize adverse effects of signs on nearby property.

8. To otherwise promote the public health, safety, morals, and general welfare of the community.

9. To regulate the use of signs through a sign permitting process.

10. To enable the fair and consistent enforcement of these sign regulations.

B. Application and Defined Terms:

1. The provisions for signs are intended to establish to provide standards and specifications for signs and billboards for uses that are permitted by this Zoning Ordinance.

2. The provisions for signs contain technical and reference terms that are defined by this Zoning Ordinance.

3. For the purposes of this Zoning Ordinance, a billboard shall be considered as a type of sign.

C. Area and Height: The following guidelines shall apply when interpreting area and height regulations for signs:

1. Area: The area of a sign shall be the area of the smallest rectangle, triangle, or circle that will encompass all elements of the sign, such as letters, figures, symbols, designs, or other display. The following criteria shall also apply to the area of a sign:

a. When a sign is a separate unit, the area shall include any borders, framing, trim, decorative attachments, background, and space between elements; it shall not include any supporting structure unless that structure is illuminated, is in the form of a symbol, or contains advertising elements.

b. When a sign is applied to a wall or otherwise has no definable edges, the area shall include all color, artwork, or other means used to differentiate the sign from the surface upon which it is placed.

c. When a single sign structure has more than one face with the same message, and no two sign faces are more than three (3) feet apart at any point, the area shall be computed by determining the greatest total area of all sign faces visible from any single location.

d. The maximum permitted area of certain signs is specified in Tables 22230.1 and 22230.2 of this Zoning Ordinance.

2. Height: The height of a sign shall be measured from the average ground level beneath the sign to the highest point of the sign. The ground level shall be the lower of the ground level existing at the time of construction or the ground level existing prior to construction and prior to any earth disturbance at the site. This prior ground level may be established by any reliable source, including, without limitation, existing topographic maps, aerial photographs, photographs of the site, or affidavits of people who are personally familiar with the site. No person(s) shall artificially increase the maximum height of a sign by altering the grade at the base of the sign by any means. The following criteria shall also apply to the height of a sign:

a. No sign shall be higher than the height limitation of the district in which it is located.

b. The maximum permitted height of certain signs is specified in Tables 22230.1 and 22230.2 of this Zoning Ordinance.

c. Wall signs may be at any height on the wall to which they are attached, except that they may not extend higher than the top of the wall.

d. Roof signs may extend no more than five (5) feet above the lowest point where they are attached to the building and may not extend above the highest point of the roof.

D. General Regulations: The following regulations shall apply to all signs, in addition to the specific regulations contained in the following provisions of this Zoning Ordinance. Where the general regulations are contradicted by a specific regulation, the specific regulation shall control:

1. All signs shall reflect the general character of the neighborhood.

2. All signs shall be constructed of durable materials, maintained in good condition, and secured in a safe manner.

3. When a sign becomes unsafe, the Zoning Officer shall give written notice to the owner of the premises on which the sign is located that the sign must be made safe, replaced or removed immediately.

4. The areas surrounding all signs shall be maintained in a neat, clean, and attractive condition.

5. Signs shall be removed within three (3) months if the purpose for which they were erected no longer exists.

6. Each property that displays one or more permanent freestanding signs and that is in an area where street addresses have been assigned, must prominently display the address on one permanent freestanding sign visible from the street. The address must include the street number; the street name is optional. The address must be of a size and design that is easily identifiable and legible from moving traffic in the street at a distance of one hundred (100) feet (utilizing 3 inch high lettering/numerals with a ¾ inch stroke). The area of the address does not count as part of the sign area. Center signs are exempt from this requirement.

7. No temporary signs shall be permitted except as authorized elsewhere in this Zoning Ordinance.

8. No sign shall be located within a street right-of-way, except a public utility sign, traffic control sign, government sign, non-profit organization sign, sidewalk sign for a business use, or any other sign that has been approved by East Lampeter Township or the Pennsylvania Department of Transportation.

9. No sign within the clear sight triangle shall obstruct vision between the heights of thirty (30) inches and ten (10) feet above the elevation of the centerline of the street.

10. No more than one (1) freestanding sign may be permitted along the street on which the property or use has frontage. For corner lots or properties with two (2) front yards, a freestanding sign may be permitted along each road that the property has frontage, but shall not exceed a total of two (2) freestanding signs.

11. No signs shall be painted, pasted, nailed, stapled, or otherwise attached to utility poles, trees, fences, fire hydrants, or in an unauthorized manner to walls or other signs, except insofar as such signs comply with generally applicable rules, regulations, or policies formally adopted by the governing body.

12. Any freestanding sign within a Floodplain Overlay District must receive approval as a special exception.

13. No sign shall be placed so as to obstruct any door, stairway, window, fire escape, or other means of egress or ingress.

14. No sign shall be placed so as to obstruct ventilation or light from a building.

15. No overhead sign shall have a clearance of: less than eight (8) feet between any pedestrian walk and the lowest part of the sign; and less than eighteen (18) feet between any roadway and the lowest part of the sign.

16. No sign that is parallel to and attached to the face of a building shall project more than eighteen (18) inches over a public sidewalk.

17. No sign that is perpendicular to and attached to the face of a building shall project more than four (4) feet from the building.

18. No sign shall have lights or other illuminating devices that constitute a public safety or traffic hazard.

19. No sign shall be permitted that imitates or that might be confused with an official traffic sign or signal, such as: by containing the words "Stop" or "Danger"; or by including red, green, or yellow lights.

20. No sign or window display shall include a revolving beam or beacon of light resembling an emergency vehicle or facility.

21. No sign shall advertise activities or products that are illegal under federal, state, or local municipal laws or regulations.

22. No sign shall include statements, words, or pictures that are considered to be vulgar, obscene, or pornographic.

23. No streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons or similar signs shall be displayed outside a building. (Refer to "Special Event Sign" in Table 22230.2 for regulations that apply to banners used as special event signs)

24. In addition to any other signage permitted by this Zoning Ordinance, each commercial or industrial property may display one flag not to exceed thirty-five (35) square feet with a company or corporate identification logo on premise on an approved, standard flag pole.

25. Except for time and temperature signs and except for billboards using digital technology meeting the standards hereafter set forth, no animated, sequential, intermittent, flashing, rotating, or oscillating signs shall be permitted.

26. The lighting source for any sign shall not include any lasers, beacons, searchlights, strobe lighting or any excessive lighting effects.

27. The use of highly reflective signage that creates nuisance glare or a safety hazard shall not be permitted.

28. Unless otherwise permitted by East Lampeter Township, no sign may be changed or modified more than one (1) times per twenty-four (24) period of time.

29. No sign shall emit smoke, visible vapors, particles, sound, or odor.

30. No sign shall be place on an automobile, truck, or other vehicle if that vehicle is being used primarily for displaying such sign.

31. No inflatable signs shall be permitted.

32. No open flames shall be permitted as part of a sign or in any other way to attract attention.

33. Advertising painted upon or displayed upon a barn or other structure shall be considered a sign and shall comply with the regulations of this Zoning Ordinance.

34. Any sign that has been authenticated as historically significant and accurate for its specific location, whether original or a replica, may be exempted from the regulations of this Zoning Ordinance as a special exception.

35. Signs may be interior lighted with non-glaring lights; signs may be externally lighted by lights that are shielded so there is no direct light transmitted to other properties or public rights-of-way.

36. The light from any illuminated sign shall not adversely affect: safe vision of operators of vehicles moving on public or private streets or parking areas; any residential zoning district; and/or any part of a building or property used for residential purposes.

37. No lighting shall be permitted to outline buildings or structures or parts thereof through the use of exposed neon tubing, strings of lights, or other means with the exception of customary holiday decorations, which may be installed thirty (30) days prior to and removed not later than 21 days after the holiday.

38. Business signs located within the AG, R-1, R-2, R-3, C-1, MU, BH, VG, VC and VR Zoning Districts shall not be illuminated when the business is closed.

39. All electronically illuminated signs shall be constructed to the standards/listing of the Underwriters Laboratories, Inc. and the latest edition of the National Electrical Code.

E. Illumination. The lighting of new, or lighting or relighting of existing, signs and/or billboards shall be subject to the following requirements:

1. Externally illuminated billboards and signs shall be designed, fitted and aimed (up, down or through) in order to direct the light output onto the billboard or sign and shall not be directed onto neighboring residences, adjacent uses, or any public street. All such illumination shall consider adverse impacts associated with trespass glare that is inadvertently directed towards the sky or adjacent properties.

2. The light source for internally illuminated signs and billboards shall not exceed the standards set forth by East Lampeter Township, the Pennsylvania Department of Transportation and/or the Federal Highway Administration.

3. Billboards installed and operated with digital technology using light emitted diodes or equivalent technology to change messages shall be subject to the provisions specified on Table 22230.1 and the following:

   a. Messages may change no more frequently than every ten (10) seconds.

   b. No change may involve simulated or actual movement, animation, fading, dissolving, flashing, oscillating or rotating features.

   c. Light emitted from the billboard may not exceed 0.3 foot candles above ambient light conditions.

   d. Each such billboard must have a dimmer switch or controls which operate automatically to adjust brightness to the ambient light conditions in order to avoid exceeding the maximum brightness set forth above.

   e. The billboard illumination must otherwise meet the acceptable practices established from time to time by the Illuminating Engineering Society of North America or equivalent organization.

4. The illumination of billboards shall be limited to the I-1, I-2 and BP Zoning Districts. The illumination of billboards within four hundred (400) feet of a residential use or zoning district shall not be permitted.

5. Rotating, traveling, pulsing, flashing, animated, marching or oscillating light sources, lasers, beacons, searchlights, or strobe lighting shall not be permitted.

6. The use of highly reflective signage that creates nuisance glare or a safety hazard shall not be permitted.

7. Applications for the lighting or relighting of signs and billboards shall be accompanied by a point-by-point plot of illuminance on the sign or billboard face, catalog cuts of proposed fixtures and any glare reduction devices and a description of lamps, mounting locations, aiming angles and proposed hours of operation and method for automatically extinguishing the lighting.

8. Billboards and signs, whether on or off-premise, shall be equipped with a programmable controller that automatically extinguishes the lighting by no later than 11:00 PM and remains off until dawn except that on-premise signs for uses that operate later than 11:00 PM shall automatically extinguish the sign lighting at the close of business.

F. Banners and Flags: The following provisions shall apply to banners and flags, which are hung and displayed as a promotional feature for a municipal, commercial, industrial, institutional, civic and/or non-profit organizations:

1. Unless otherwise specified by this Zoning Ordinance, a banner and/or flag shall be considered as a permanent sign. A permit shall be required for all banners and flags.

2. A permanent banner or flag shall be located, designed and installed so that it does not encroach upon the street right-of-way. A temporary banner or flag may be located within the street right-of-way provided that the landowner or applicant has obtained approval from East Lampeter Township and/or the Pennsylvania Department of Transportation.

3. A temporary banner or flag may include a message or display for: a community, civic-based or non-profit organization; business hours of operation (open or closed); directional or destination; political, election or campaign events; seasonal or special events; and other similar flags or banners. All such temporary banners or flags shall be displayed and maintained by the landowner.

4. The size of a banner or flag shall not exceed twenty (20) square feet.

5. The hanging of banners and flags shall be the sole responsibility of the landowner or applicant.

G. Specific Regulations: The following tables provide regulations for specific kinds of signs in each zoning district:

1. Table 22230.1 provides regulations for permanent signs.

2. Table 22230.2 provides regulations for temporary signs, special event/use signs and issue signs.

3. The types of signs not specified within Tables 22230.1 and 22230.2 or anywhere else within this Zoning District shall not be allowed

H. Permitting Procedures and Fees: Permits for the placement of signs are required as indicated by the last column contained within Tables 22230.1 and 22230.2. Sign permit application requirements, such as forms, plans, and fees, shall be established by resolution by the Board of Supervisors.

I. Non-Conforming Signs: Non-conforming signs may continue to be displayed, as long as there is compliance with the following limitations and conditions:

1. There may be no expansion or increase in the nonconformity in any way.

2. Maintenance and repair of the sign are permitted; if necessary, up to fifty (50) percent of the entire area of a sign and its supporting structure may be replaced in the event of damage. Any such replacement must be completed within six (6) months of the damage occurring.

3. The sign must be brought into conformity if, for a period of more than ninety (90) days, the message has no longer applied to an activity on the premises.

J. Optional Design: East Lampeter Township may consider optional design and improvement alternatives if the standard requirements are determined to be unwarranted or inappropriate based upon the existing site conditions. All optional sign designs shall be considered as part of a conditional use application that is submitted to East Lampeter Township. If approved, the optional design and site requirements shall be considered as part of the zoning permit, subdivision plan or land development plan.

Table 22230.1: Regulations for Permanent Signs

Type of Sign		Zoning District or Permitted Use	Maximum Number	Maximum Area	Maximum Height	Minimum Setback	Permit
Business Sign for Non-Residential Use	Freestanding	AG	1 per lot	16 sq. feet	6 feet	10 feet	Yes
		C-1, MU, BH, VG and VC	1 per street frontage; No more than 2 signs	80 sq. feet	16 feet	10 feet	Yes
		C-2, C-3, I-1, I-2 and BP	1 per street frontage; No more than 2 signs	80 sq. feet	20 feet	10 feet	Yes
	Monument	C-1, C-2, C-3, I-1, I-2, BP, MU, BH, VG and VC	1 per street frontage; No more than 2 signs	80 sq. feet	8 feet	10 feet	Yes
	Building	AG, C-1, MU, BH, VG and VC	Variable	40 sq. feet; Refer to sign notes	As per zoning district regs.	As per zoning district regs.	Yes
		C-2, C-3, I-1, I-2 and BP	Variable	200 sq. feet (total); Refer to sign notes	As per zoning district regs.	As per zoning district regs.	Yes
Billboard		I-1, I-2 and BP	Refer to sign provisions and sign notes	300 sq. ft. / surface; refer to sign notes	25 feet	30 feet	Yes
Center		C-1, BH, MU, VG and VC	1 per principal entrance; Maximum 2 signs	40 sq. feet	12 feet	10 feet	Yes
		C-2, C-3, I-1, I-2 and BP	1 per principal entrance; Maximum 2 signs	80 sq. feet	20 feet		
Development		Residential	1 per principal entrance; Minimum separation of 1,200 linear feet; Maximum 2 signs per residential development	20 sq. feet	8 feet	10 feet	Yes
		Non-Residential		200 sq. feet	20 feet	30 feet	Yes
Incidental		All Zoning Districts	No limit	4 sq. feet	6 feet	Not applicable	No
Home Occupation		Residential with a home occupational use	1 freestanding and/or 1 building sign per lot	4 sq. feet of cumulative area	6 feet	10 feet	Yes
Non-Profit, Public or Government		All Zoning Districts	1 freestanding and 1 building sign per lot	40 sq. feet of cumulative area	10 feet	10 feet	No

Additional Provisions and Notes Relative to Table 22030.1

(1) No more than 1 freestanding sign may be permitted per street frontage. For corner lots or properties with 2 front yards, a freestanding sign may be permitted along each road that the property has frontage, but shall not exceed a total of 2 freestanding signs.

(2) Lots containing multiple businesses may not have more that 1 freestanding sign or monument sign.

(3) The maximum area for a building sign shall be 1.5 square feet for each linear foot of building façade where the sign is attached.

(4) Business signs for individual uses or businesses must be located so they are identified with the individual use or business.

(5) Signs located within the BH Zoning District shall comply with the Design Guidelines for the BH Zoning District.

(6) The provisions of this Zoning Ordinance shall not apply to a public sign or government sign located within the street right-of-way.

(7) No more than 1 billboard structure shall be permitted at any permitted location, which may include 2 surfaces or sign messages that are either attached back to back or shall not exceed an interior angle of 45 degrees.

(8) Billboards shall be located at least 1,200 from another billboard and at least 300 feet from AG, R-1, R-2, R-3 and VR Zoning Districts.

(9) The area of an existing billboard shall be deducted from the area of business signage permitted on properties containing a billboard.

(10) All signs or messages that are illuminated or contain digital display messages shall comply with the provisions of this Zoning Ordinance.

(11) An existing non-conforming business may have 1 freestanding sign or monument sign that does not exceed 40 square feet and 1 building sign that does not exceed 40 square feet.

(12) Permanent signs shall be designed, located and installed so they do not obstruct vehicular or pedestrian movements.

Table 22230.2: Regulations for Temporary Signs, Special Event / Use Signs and Issue Signs

Type of Sign		Zoning District or Permitted Use	Maximum Number	Maximum Area	Maximum Height	Minimum Setback	Permit
Contractor Sign		All Zoning Districts	1 per contractor per lot	6 sq. feet	6 feet	10 feet	No
Garage or Yard Sale		All Zoning Districts	1 per sale per lot	6 sq. feet	6 feet	10 feet	No
Real Estate Sign	Residential	All Zoning Districts	1 per street frontage; Maximum 2 signs	6 sq. feet	6 feet	10 feet	No
	Non-Residential	All Zoning Districts	1 per street frontage; Maximum 2 signs	32 sq. feet	10 feet	10 feet	No
	Open House	All Zoning Districts	1 on-site; 2 off-site for directions at street intersections	6 sq. feet	4 feet	10 feet	No
Sidewalk Sign		All Zoning Districts	No limit	6 sq. feet	4 feet	None	No
Bed and Breakfast; Tourist Home		All Zoning Districts	1 per lot	8 sq. feet	6 feet	10 feet	Yes
Roadside Stand		All Zoning Districts	1 per street frontage; Maximum 2 signs	8 sq. feet	6 feet	10 feet	No
Issue Sign		AG, R-1, R-2, R-3, C-1, MU, BH, VG, VC, VR	No limit	8 sq. feet	6 feet	None	No
		C-2, C-3, I-1, I-2 and BP	No limit	32 sq. feet	10 feet	None	No
Banner or Flag		All Zoning Districts	No limit	20 sq. feet	20 feet	None	Yes
Special Event Sign		All Zoning Districts	1 per lot per event	20 sq. feet	8 feet	10 feet	No
Open Flag		All Zoning Districts	1 per lot, not within row	15 sq. feet	8 feet	10 feet	No

Additional Provisions and Notes Relative to Table 22030.2

(1) Temporary and special use signs shall be located on the property of the permitted use and shall not be illuminated. All such signs shall be removed within 30 days after the sign is no longer required for the temporary or special use that it was originally intended.

(2) Contractor sign shall be located on the premises at least 10 feet from any vehicular access point and shall not be illuminated .

(3) Real estate signs may be posted no earlier than 5 days before the property listing and removed 5 days after the property has been sold.

(4) Open house or directional signs may be post 3 days prior to the open house event and removed 2 hours after the open house event.

(5) An on-premises sign advertising a real estate auction may be posted 21 days prior to the auction and removed 5 days after the auction.

(6) Signs located within the BH Zoning District shall comply with the Design Guidelines for the BH Zoning District.

(7) Temporary signs shall be designed, located and installed so they do not obstruct vehicular or pedestrian movements

(8) The provisions of this Zoning Ordinance shall not apply to a public sign or government sign located within the street right-of-way.

(9) Signs that are required to be removed by the applicant, landowner or responsible person within the specified time limits may be removed by East Lampeter Township at the cost for enforcement, including all administrative, removal and legal fees.

(10) Additional provisions may be further specified by this Zoning Ordinance and/or by the state or federal agencies with jurisdiction.

(11) Unless otherwise specified by this Zoning Ordinance, a permit shall be required for a permanent or temporary sign.

(12) Community, civic-based and non-profit signs shall be considered as a temporary sign or special event sign.

Section 22240: Solid Waste Disposal

A. Trash and refuse disposal shall comply with the all pertinent provisions adopted by East Lampeter Township including Ordinance 258, as may be amended from time to time.

B. All containers or dumpsters utilized for solid waste disposal or recycling shall be enclosed, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. Unless otherwise specified by this Zoning Ordinance or by Ordinance 258, the following setback requirements shall apply:

1. Common trash and recycling containers utilized for a multi-family uses (townhouse and apartments) shall be stored in the rear yard and shall be located at least ten (10) feet from the rear lot line.

2. Individual trash and recycling containers utilized for a multi-family uses (townhouses and apartments) shall be stored within the building or within a designated exterior area located at least ten (10) feet from the property line.

3. Dumpsters or solid waste disposal facilities for a non-residential use shall comply with the side or rear yard setbacks for an accessory use, building or structure for the zoning district on which it is located. If there are no setback requirements specified for an accessory use, building or structure, the dumpster or solid waste shall comply with the side or rear yard setbacks established for a principal use.

C. Exterior storage areas for trash and rubbish disposal for a non-residential use shall be properly enclosed with secured fencing and/or screened with landscaping materials within a designated area on the property or as part of a disposal plan approved by East Lampeter Township.

D. The landowner shall develop, implement and maintain a working plan for the trash disposal, recycling and the clean-up of litter that is a result of the school as a vocational, mechanical or trade use.

E. All hazardous waste, toxic waste, infectious waste, and other similar items, which because of its potential health risks, shall be discarded in a manner specified by local, state and federal laws.

F. All lubricants, fuel and/or petroleum products shall be contained within a permitted building, structure and/or containment facility that complies with local, state and federal laws.

Section 22250: Reserved

Section 22260: Unenclosed Outdoor Storage

A. General Criteria: Outdoor storage of any type shall not be permitted unless such storage conforms to the normal functions and procedures conducted on the premises. Outdoor storage of any type that is not a normal function of the property or permitted use shall be prohibited, if such storage is considered as unsightly, malodorous, hazardous to the environment and potentially detrimental to the health and safety of the adjacent property owners.

B. Recreational Vehicles, Boats, Campers and Trailers: Except as noted under Section 22180 of this Zoning Ordinance, the following provisions shall apply to the storage of recreation vehicles, boats, campers and trailers in the AG, R-1, R-2, R-3, MU, BH, VG, VC, and VR Zoning Districts, or upon any existing lots used principally for residential purposes:

1. For purposes of this section, recreational vehicles, travel trailers, utility trailers, boats (including trailers), and other trailers used solely for the transport of the residents recreational vehicle(s) are divided into two separate categories, as follows:

a. Class A Vehicle that are less than two hundred (200) square feet, as described as follows: those recreational vehicles, travel trailers, utility trailers, boats (including trailers), and other trailers used solely for the transport of the residents' recreational vehicle(s) that possess no more than two hundred (200) square feet, as measured to the vehicle's outermost edges, nor exceed a height of ten (10) feet, as measured from the ground to the highest point of the main body of the vehicle. Vehicle height shall not be measured on vehicle accessories (e.g., air conditioners, vents, hatches, masts, antennas, out-rigging fishing poles, etc.), but will be measured to the highest point of any fly-bridge or other boat console.

b. Class B Vehicles that are more than two hundred (200) square feet, as describe as follows: those recreational vehicles, travel trailers, utility trailers, boats (including trailers), and other trailers used solely for the transport of the residents recreational vehicle(s) that possess more than two hundred (200) square feet, as measured to the vehicle's outermost edges, and/or exceed a height of ten (10) feet, as measured from the ground to the highest point of the main body of the vehicle. Vehicle height shall not be measured on vehicle accessories (e.g., air conditioners, vents, hatches, antennas, masts, out-rigging fishing poles, etc.), but will be measured to the highest point of any fly-bridge or other boat console.

2. The temporary parking of one Class A or Class B vehicle for periods not exceeding seventy-two (72) hours during any seven (7) day period is permitted on a paved or gravel surface, so long as the vehicle is set back no less than ten (10) feet from any street right-of-way, and five (5) feet from adjoining property lines.

3. The storage of one Class A vehicle shall be permitted per lot behind the building setback line, so long as the unit is setback no less than five (5) feet from any adjoining lot line. All areas used for the storage of Class A vehicles shall be maintained so as to keep vegetation properly trimmed and debris or litter disposed of regularly. All vehicles shall maintain required licenses and prevent the leakage of fuels and/or lubricants into the ground.

4. Except for temporary parking, as permitted under Section 22260.B.2 of this Zoning Ordinance, the storage of any Class B vehicle shall be prohibited within the R-1, R-2, R-3, MU, BH, VG, VC and VR Zoning Districts, or upon any existing lots used principally for residential purposes, unless the following requirements are met:

:

a. In no case shall the vehicle contain more than three-hundred and twenty (320) square feet, as measured to the vehicle's outermost edges, nor exceed a height of thirteen (13) feet, as measured from the ground to the highest point of the vehicle's main body. The vehicle height shall not be measured on vehicle accessories (air conditioners, vents, hatches, antennas, masts, out-rigging fishing poles), but will be measured to the highest point of any fly-bridge or other boat console.

b. All vehicles shall be set back a horizontal distance equal to twice the vehicle's height from every side and rear lot line.

c. No vehicle shall be stored in front of the building setback line. On vacant lots, the vehicle must be stored behind the required front yard setback line, as specified for principal uses.

d. Screening, as described and required under the provisions of this Zoning Ordinance, shall be provided along any side and rear lot lines. Such screening shall not extend into the required front yard. Screening shall not be required along a common side lot line when the owner resides on one (1) lot, and stores the vehicle on an adjacent vacant lot that he/she owns. One ten (10) foot wide break in required screening may be provided along one (1) rear or side lot line for vehicular access onto an adjoining alley.

e. All areas used for the storage of Class B vehicles shall be maintained so as to keep vegetation properly trimmed and debris or litter disposed of regularly. All vehicles shall maintain required licenses and prevent the leakage of fuels and/or lubricants into the ground.

C. Domestic Compost: The placement of framed enclosure for composting as an accessory residential use is permitted, subject to the requirements of residential accessory building setbacks. Only waste materials from the residential site shall be deposited within the compost enclosure, and in no case shall meat or meat by-products be composted. All composting enclosures shall be maintained such that they will not create a nuisance to nearby properties.

D. Firewood Storage: Outdoor storage of firewood for personal domestic use is permitted, subject to the requirements of residential accessory building setbacks. The storage area shall be maintained so as to keep vegetation properly trimmed and not create a nuisance to nearby properties.

E. No exterior storage of a substance, which has the potential to contaminate groundwater or surface water, shall not be permitted unless the owner provides and installs safeguards, which are satisfactory to East Lampeter Township and the Pennsylvania Department of Environmental Protection. All such protective safeguards shall be subject to the review and approval by the East Lampeter Township Zoning Officer.

Section 22270: Utilities

A. Unless otherwise specified by the utility provider, all basic utility service lines for electric, natural gas, cable television, and telephone shall be placed underground.

B. The installation of all utilities shall be in strict accordance with the engineering standards and specifications of the public utility company.

C. Where such underground utilities are located under the proposed cartway, they shall be permitted and put in place, connected, and approved before the streets are constructed and before any person is permitted to occupy any building to be served by such utilities.

D. Where easements or rights-of-way are required to accommodate utility installations, such easements shall have a minimum width of twenty (20) feet. New utility easements and rights-of-way shall be located only upon consultation with the appropriate utility company.

E. Where feasible, easements and rights-of-way shall be centered or adjacent to rear or side lot lines. No structures, materials and/or trees shall be placed within such easements and rights-of-way.

F. Right-of-way standards and installation procedures for natural gas and petroleum product transmission lines shall conform to all applicable federal and state regulations, including regulations governing the width of the right-of-way, location of pipeline within the right-of-way, the proposed depth of the pipeline, and the pipe wall thickness. There shall be a minimum distance of fifty (50) feet, measured in the shortest distance, between any proposed or existing dwelling and any petroleum products or natural gas transmission line.

Section 22280: Yards along Through, Double and Reverse Frontage Lots

A. For lots that are classified as a through lot, double frontage lot or reverse frontage lot, the front yard shall be designated and located along the street closest to the face of the building having the principal entrance, or along the street from which primary vehicular access is provided if the lot does not contain a building. The rear yard shall be located along the other street providing frontage, and the side yards shall be located along all other lot lines.

B. For lots that are classified as a through lot, double frontage lot or reverse frontage lot, the front yard shall be located along the street of lesser intensity, the rear yard shall be located along the street of higher intensity, and the side yards shall be located along all other lot lines.

C. For lots that are classified as a corner lot, the front yard shall be located along both streets.

Article 23: Supplemental Regulations

Section 23010: Purpose

A. The intent of Article 23 of this Zoning Ordinance is to provide supplemental controls and regulations for particular uses that are permitted by right, special exception or conditional use, as specified under the various Zoning Districts established in this Zoning Ordinance. Unless otherwise specified, all uses referenced under Article 23 shall comply with the provisions of the underlying Zoning District to which the use is located as well as those standards contained under Article 23 of this Zoning Ordinance.

B. Should a discrepancy occur between the requirements specified under Article 23 and the other provisions of this Zoning Ordinance, the more restrictive standards and specifications shall apply.

C. For the uses permitted by right, the standards specified under Article 23 of this Zoning Ordinance shall be satisfied as part of a subdivision plan, land development plan and/or zoning permit. The applicant shall be required to demonstrate compliance with these standards and must furnish whatever evidence is necessary to demonstrate such compliance.

D. For uses permitted by special exception or conditional use, the standards specified under Article 23 of this Zoning Ordinance shall be satisfied as part of the special exception application or conditional use application. East Lampeter Township may defer certain requirements to be satisfied as part of a subdivision plan, land development plan and/or zoning permit. The applicant shall be required to demonstrate compliance with these standards and must furnish whatever evidence is necessary to demonstrate such compliance.

E. For the purposes of this Article 23 of this Zoning Ordinance, any required setbacks imposed upon any use, building and/or structure, shall be measured from the boundary line of the site for which the proposed use, building and/or structure is requested, regardless of whether or not this line corresponds to a property line or a lease line.

F. The regulations established under Article 23 of this Zoning Ordinance shall be subject to the interpretation of the Zoning Officer. Should a dispute arise concerning the interpretation of these supplementary regulations, the person aggrieved by the interpretation may file an appeal with the Zoning Hearing Board.

Section 23020: Adult Uses

A. Adult uses, as defined under Section 2020 of this Zoning Ordinance, shall be permitted by special exception within the I-2 Zoning District.

23020: Adult Uses															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right															
Special Exception									P 1						
Conditional Use															
P = Principal Use			A = Accessory Use				1 = Special Setback Requirements								

B. The chart contained under Section 23020.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23020 and the underlying zoning district provides specific regulations for adult uses.

C. Terminology: The term “adult use” shall also be synonymous with the terms “adult business use” and “adult entertainment use”. Subordinate definitions to adult uses are contained under the definition of “adult use” within Section 2020 of this Zoning Ordinance

D. Legislative Intent: The provisions for adult uses are hereby incorporated within this Zoning Ordinance in order to accomplish the following objectives:

1. It is hereby declared a matter of legislative declaration and belief that the morals of East Lampeter Township are threatened by the presence of adult uses as said term is hereinafter defined. These uses, and the type and character of the merchandise, paraphernalia and services sold in them, create an atmosphere of enticement for minors of East Lampeter Township that is increased by the lascivious and suggestive advertising often employed to promote the availability of these products and services. It is the intent of the Board of Supervisors to minimize the exposure of these uses.

2. It is the firm belief of the legislative body that it has a vital duty and role to protect the moral fiber and standards of its residents, in particular the minors of the community.

3. The location of adult uses is of vital concern to society with regard to their location near areas where minors may learn, play, pass by, or be exposed to the advertising, window displays, or the general atmosphere encompassing their operation. The legislative body finds that adult uses, because of their very nature, are recognized as having objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances, thereby having a deleterious effect upon adjacent areas. Special regulation of these businesses is necessary to insure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhoods. One of the purposes of this regulation is to prevent the concentration or clustering of these uses in any one area.

4. It is the intent of the Board of Supervisors in enacting these regulations relative to adult uses to exercise only those powers granted to it. These regulations shall in no way be deemed to permit any adult use, as defined herein, which would otherwise be prohibited or in any way regulated by the East Lampeter Township Obscenity Ordinance, and other state, county or local ordinances.

5. Further, these regulations are enacted to promote, protect and facilitate the public health, safety, morals and general welfare of all residents of East Lampeter Township.

6. No adult use may change to another adult use, unless it has been approved by East Lampeter Township.

E. Area and Utility Requirements: The following general provisions shall apply to adult uses:

1. A minimum of 40,000 square feet of net land area shall be required to accommodate an adult uses.

2. The adult use shall comply with the minimum and maximum dimensional requirements specified for an adult business and adult entertainment use under the Business Park (BP) Zoning District.

3. Adult businesses and adult entertainment uses shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan.

4. Adult businesses and adult entertainment uses shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

5. All other utility provisions serving adult uses shall be planned and installed in accordance with the specifications of the public utility provider supplying service.

6. Unless otherwise specified under Section 23020 of this Zoning Ordinance, adult uses shall comply with all other pertinent area, bulk and height requirements of the zoning district in which the adult use is located.

F. Proximity Requirements: The following minimum spacing and proximity requirements shall apply to adult uses:

1. No adult use shall be located within one thousand (1,000) feet of any other adult use. The distance between any two (2) adult uses shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior parcel line of separately deeded lots upon which each facility is located.

2. No adult use shall be located within one thousand (1,000) feet of a residential zoning district. The distance between any adult use and a residential zoning district shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior parcel line of the separately deeded lot upon which the adult use is located to closest point to a residential zoning district.

3. No adult use shall be located within one thousand (1,000) feet of any parcel of land which contains any one or more of the following specified land uses:

   a. Amusement Park;

   b. Campgrounds;

   c. Community Center;

   d. Day Care Facility;

   e. Library;

   f. Museum;

   g. Orphanage;

   h. Places of Worship;

   i. Recreation Use and/or

   j. School

4. The distance between any adult use and the use specified under Section 23020 shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior parcel line of the deeded lot upon which the adult use is located to the closest point on the property line of the specified use.

5. No more than one (1) adult use may be located within one (1) building, shopping center, or be located on the same deeded lot.

G. Visibility: The following provisions shall apply to the visibility of an adult use from the street:

1. No person operating an adult use shall permit, or cause to be permitted, any stock in trade which depicts, describes or relates to specified sexual activity and/or specified anatomical areas as defined herein, to be viewed from the street, sidewalk or highway.

2. Any building or structure used and occupied as an adult use shall have an opaque covering over all windows and doors of any area in which materials, merchandise, or film are exhibited or displayed. No sale materials, merchandise, or film shall be visible from outside the building or structure.

3. There shall be no display of sexual oriented devices, specified anatomical areas, or specified sexual activities that can be seen from the exterior of the building, this would include seen through open doors or windows.

4. No materials, merchandise, or film offered for sale, rent, lease, loan, or for view upon the premises shall be exhibited or displayed outside of a building or structure.

5. No sign shall be erected upon the premises depicting or giving a visual representation of the type of materials, merchandise, or film offered therein.

6. Each entrance to the premises shall be posted with a notice specifying that persons under the age of eighteen (18) years are not permitted to enter and warning all other persons that they may be offended upon entry.

H. The applicant shall furnish evidence satisfactory to East Lampeter Township that the proposed use will not be detrimental to the use of adjoining lots due to hours of operation, light, noise and/or litter.

I. The applicant shall furnish evidence satisfactory to East Lampeter Township as to how the use will be controlled so as to not constitute a nuisance, particularly concerning noise, lighting and loitering outside the building.

J. Exterior storage areas for trash and rubbish shall be properly screened with secured fencing and/or screened with landscaping materials. All containers or dumpsters shall be enclosed, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. All containers or dumpsters shall be located in the side or rear yard and be set back a minimum of fifty (50) feet from the property line.

K. A working plan for the cleanup of litter shall be furnished and implemented by the applicant, subject to the approval by East Lampeter Township.

L. The adult use shall comply with all other applicable regulations specified by East Lampeter Township, including, but not limited to the requirements for landscaping, lighting, off-street loading, off-street parking, and signage.

M. Consistent Construction: It is the intent of these adult use regulations that they be construed consistently with Ordinance No. 87 - 1982 regulating obscenity (hereinafter "The East Lampeter Township Obscenity Ordinance"); and that nothing contained in these regulations shall be construed to permit any use, business, enterprise or activity which would be prohibited by or be in violation of the East Lampeter Township Obscenity Ordinance. Furthermore, it is the intent of these adult use regulations to regulate those adult uses whose activities, although characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas”, however, are not legally obscene. For if they were obscene, they would be prohibited by the aforesaid East Lampeter Township Obscenity Ordinance. In the event such consistent construction is impossible, then any conflict shall be resolved to the end that the provisions of the East Lampeter Township Obscenity Ordinance, as may be amended shall prevail.

N. Permits Required: No person shall operate an adult use without first obtaining a use and occupancy permit as provided by Section 25030 of this Zoning Ordinance and all other applicable permits required by law.

Section 23030: Agricultural Operation

A. Agricultural operation, as defined under Section 2020 of this Zoning Ordinance, shall be permitted by right within all zoning districts established by this Zoning Ordinance.

Section 23030: Agricultural Operation															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right	P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1
Special Exception															
Conditional Use															
P = Principal Use			A = Accessory Use				1 = Special Lot Size and Setback Requirements								

B. The chart contained under Section 23030.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23030 and the underlying zoning district provides specific regulations for agricultural operations.

C. Area and Utility Requirements: The following general provisions shall apply to agricultural operations:

1. The minimum land area requirements for an agricultural operation shall be as follows:

   a. An agricultural operation shall be located on a farm containing a minimum of ten (10) acres of land area.

   b. Agricultural uses containing less than ten (10) acres shall not be considered an agricultural operation.

c. Residential gardens located on a property shall be subject the requirements of the zoning district on which the residential use is located and the provisions contained under Section 22030 of this Zoning Ordinance.

2. Agricultural operations shall be serviced by public, or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. Agricultural operations shall be serviced by public or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. All other utility provisions serving agricultural operations shall be planned and installed in accordance with the specifications of the public utility provider supplying service.

5. Unless otherwise specified under Section 23030 of this Zoning Ordinance, agricultural operations shall comply with all other pertinent area, bulk and height requirements of the zoning district in which the agricultural operation is located.

D. Setback Requirements: The following specific setback requirements shall apply to agricultural operations:

1. Poultry houses for housing five hundred (500) or more birds shall comply with the following setback requirements:

a. The poultry house shall not be located within two hundred fifty (250) feet from a building occupied by a residential use and utilized for human habitation as of the effective date of this Zoning Ordinance. This setback requirement shall not apply to a residential use or building utilized for human habitation that is located on the same property of the agricultural operation.

b. The poultry house shall not be located within one hundred fifty (150) feet of any property line or street right-of-way lines.

2. Poultry houses for housing more than one hundred (100) birds but fewer than five hundred (500) birds shall not be located within one hundred (100) feet of any property line, street right-of-way line and/or building utilized for human habitation.

3. Structures for housing more than twenty-five (25) head of livestock shall not be located closer than fifty (50) feet from all property lines and street right-of-way lines, except as specified in Section 23030.D.4 of this Zoning Ordinance. Feed lots or outside areas designated and utilized for the feeding or holding of more than twenty-five (25) head of livestock, not including general pasture areas shall be subject to the same location requirements as structures.

4. If the landowner of the proposed structure owns the land on the other side of the street opposite the location of the proposed structure, such structure shall be located at least fifty (50) feet from the street right-of-way line, provided however, that the structure shall not be closer than one hundred (100) feet to the property line.

5. All other building and/or structures utilized for agricultural operations shall comply with the setback requirements of the zoning district on which the agricultural operation is located.

6. An agricultural control filter strip shall be maintained between cultivated land and all public streets within East Lampeter Township. The filter strip shall be kept as a permanently maintained, weed-free, vegetative buffer. The width of the filter strip shall be six (6) feet in width, as measured from the edge of the street cartway.

7. Adjacent landowners and uses shall not cause a disruption with the normal functions of an agricultural operations through: the planting of trees or vegetation along the property line: erecting building, structures or fences along the property line; and/or directing any fume, odors, light, glare, dust, smoke, toxic gas, radiation, heat, chemicals or other perceptible nuisances that impact the agricultural operation.

E. Manure Storage: A manure storage facility including manure digesters and biosolid facilities may be permitted as an accessory use to agricultural operations, subject to the following requirements:

1. A manure storage facility shall be located, designed and constructed in accordance with state and federal laws, including the guidelines outlined within the publication Manure Management for Environmental Protection, Bureau of Water Quality Management, Publication No. 43, as may be amended and revised by the Pennsylvania Department of Environmental Protection.

2. A manure storage facility shall not be located within two hundred fifty (250) feet from a residential use or building that is utilized for human habitation as of the effective date of this Zoning Ordinance. This setback requirement shall not apply to a residential use or building utilized for human habitation that is located on the same property of the agricultural operation.

3. A manure storage facility shall not be located within one hundred fifty (150) feet of any property or street right-of-way lines.

F. Nutrient Management: Agricultural operations may be required to prepare and submit a Nutrient Management Plan to the appropriate county, state and federal agencies. All agricultural operations shall comply with the Pennsylvania Nutrient Management Act of 1993, as amended.

G. Conservation Management: Any agricultural operations that involve earth moving activities shall provide proof of the obtainment of an approved conservation plan, where required by the Lancaster County Conservation District, pursuant to Chapter 102, Erosion Control, of Title 25, Rules and Regulations, Pennsylvania Department of Environmental Protection. All on-site activities shall be in compliance with the approved conservation plan.

H. Additional Requirements: The following provisions shall also apply to agricultural operations:

1. All agricultural operations shall comply with all local, state and federal laws concerning manure management, nutrient management, fertilizer applications, bio-solid or sludge applications, water supply, stormwater management, erosion and sedimentation control, and sanitary sewage disposal.

2. Agricultural operations shall comply with all other applicable general regulations, including but not limited to the requirements for landscaping, lighting, noise, driveways and access lanes, off-street loading, off-street parking and signage.

I. Other Uses: Agricultural operations that exceed the parameters specified under Section 23030 of this Zoning Ordinance may be classified as other uses that are further defined and regulated by this Zoning Ordinance.

J. Agricultural Nuisance Disclaimer: Based upon the activities and practices from normal agricultural operations, the landowners, residents, and other users of properties within East Lampeter Township and the surrounding municipalities may be subjected to inconvenience and discomfort arising from normal and accepted agricultural operations including, but not limited to, noise, odors, dust, the operation of machinery or aircraft, the storage and disposal of manure, and the application of fertilizers, herbicides and pesticides. Landowners, residents and the users of parcels of land within those areas should be prepared to accept these conditions and are hereby put on official notice that the Pennsylvania Right to Farm Law may bar them from obtaining a legal judgment against normal agricultural operations. Where appropriate, a note shall be provided on subdivision plans and land development plans.

Section 23040: Airports, Heliports and Drones

A. Airports, heliports and drones, as further defined under Section 2020 of this Zoning Ordinance, shall be as follows:

1. An airport or heliport shall be permitted by special exception within the I-1 Zoning District.

2. A drone or unmanned aerial vehicle shall be permitted as an accessory and private use within any zoning district, provided that it is operated on the same property as the principal use.

3. A drone or unmanned aerial vehicle shall be permitted as an accessory use for a permitted non-residential use, provided that it is operated within the AG, C-2, C-3, I-1, I-2 and BP Zoning Districts.

Section 23040: Airports and Heliports															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right	A 2, 3	A 2	A 2	A 2	A 2	A 2, 3	A 2, 3	A 2, 3	A 2, 3	A 2, 3	A 2	A 2	A 2	A 2	A 2
Special Exception								P 1							
Conditional Use															
P = Principal Use			A = Accessory Use				1 = Special Lot Size and Setback Requirements								
2 = Drones utilized for private uses on the same property							3 = Drones utilized for non-residential uses in certain zoning districts								

B. The chart contained under Section 23040.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23040 and the underlying zoning district provides specific regulations for airports, heliports and drones.

C. General Compliance: The following general provisions shall apply to airports and heliports:

1. A minimum of thirty (30) contiguous acres of land shall be required to accommodate an airport or heliport facility.

2. Airports and heliports shall be serviced by public or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. Airports and heliports shall be serviced by public or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. All other utility provisions shall be planned and installed in accordance with the specifications of the public utility provider supplying service.

5. Unless otherwise specified under Section 23040 of this Zoning Ordinance, airports and heliports shall comply with all other pertinent area, bulk and height requirements of the zoning district in which the airport or heliport is located.

6. All airports and heliports shall comply with the provisions of Section 21030 of this Zoning Ordinance.

7. All facility operations shall be reviewed and permitted by the Federal Aviation Administration and the Pennsylvania Department of Transportation.

D. Setback Requirements: The following setback requirements shall apply to airports and heliports:

1. All buildings, runways, landing strips, landing pads and/or other accessory structures related to the airport or heliport shall be located at least one hundred (100) feet from all street right-of-way lines and property lines.

2. No residential dwelling or facility where children regularly congregate shall be permitted within or vertically below any designated runway approach surface zone for a distance of five hundred (500) feet from the end of the designated primary surface zone for the runway, as established by either the Pennsylvania Department of Transportation, Bureau of Aviation, or the Federal Aviation Agency, whichever area is greater.

3. Storage and sale of aviation fuels is permitted provided any such storage and sales area is located a minimum distance of one hundred (100) feet from any street right of way line or lot line.

E. General Requirements: The following general provisions shall also apply to airports and heliports:

1. Any areas to be used by aircraft or helicopters under its own power shall be provided with a dustless surface.

2. All outdoor storage, parking and loading areas shall be screened from adjoining properties that are within a residential zoning district. The landscaping screen or buffer yard shall be designed to provide a complete visual barrier within five (5) years of the initial planting. Areas designated for aircraft parking or tie-down space shall not be considered as outdoor storage, parking or loading area.

3. Vending machines, snack bars, newsstands, government installations, air service and industry offices, and aircraft repair facilities may be permitted within completely enclosed buildings where the Zoning Hearing Board determines that the facility is directly related to the services provided by the airport or heliport.

4. Exterior storage areas for trash and rubbish shall be properly screened with secured fencing and landscaping materials. All containers shall be enclosed, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. Areas for trash and rubbish shall be located at least fifty (50) feet from any property line or street right-of-way line.

F. Drones: The following general provisions shall apply to drones or unmanned aerial vehicle:

1. A drone shall be considered as a personal unmanned aerial vehicle utilized on a private property and/or within certain zoning districts within East Lampeter Township.

2. A private drone or personal unmanned aerial vehicle may be permitted as an accessory use in all zoning districts, provided that it is operated within the air space above the property occupied by the principal use.

3. Unless permitted by the Board of Supervisors, no drones or personal unarmed aerial vehicles shall be operated on or within the airspace of lands owned by East Lampeter Township.

4. All drones or personal unarmed aerial vehicles shall comply with all local, state and federal regulations as well as the provisions specified under Section 21030 of this Zoning Ordinance.

G. As part of the special exception application, the Zoning Hearing Board may require additional conditions and safeguards in order to protect and promote the health, safety and welfare of the community and the character of the neighborhood in which the proposed airport or heliport facility is to be erected.

Section 23050: Alternative Energy Facilities

A. Alternative energy facilities, as defined under Section 2020, shall be permitted as follows:

1. Alternative energy facilities, as an accessory use, shall be further regulated under the provisions specified by Section 23050.1 of this Zoning Ordinance.

2. Alternative energy facilities designed and operated as a local service area facility shall be further regulated under the provisions specified by Section 23050.1 of this Zoning Ordinance.

3. Alternative energy facilities, as a principal use, shall be further regulated under the provisions specified by Section 23050.2 of this Zoning Ordinance.

B. Specific terms relative to “alternative energy facilities” that are utilized within this section are further defined under Section 2020 of this Zoning Ordinance.

Section 23050.1: Alternative Energy Facilities as an Accessory Use

A. Purpose and Objective:

1. East Lampeter Township seeks to provide opportunities for alternative energy facilities as an accessory use while regulating the use of potentially intrusive facilities, equipment and machinery.

2. The purpose of Section 23050.1 of this Zoning Ordinance is to establish provisions for the design, permitting, construction and operation of alternative energy facilities as an accessory use within East Lampeter Township, subject to reasonable conditions that will protect the public health, safety and/or general welfare of the community.

B. Applicability and Permitted Uses: This section of the Zoning Ordinance shall apply to all alternative energy facilities that are proposed to be constructed after the effective date of this Zoning Ordinance. Alternative energy facilities that are designed and utilized as an accessory use shall be permitted as follows:

1. Alternative energy facilities designed and utilized as an accessory use, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, shall be permitted within all zoning districts established by this Zoning Ordinance.

2. Alternative energy facilities designed and utilized as an accessory use, which may include geothermal heat pumps, solar energy systems, wind turbines, wind energy facilities or wood-fired boilers, shall be permitted as an accessory use by right within the AG and R-1 Zoning Districts, subject to the applicable provisions specified under Section 23050.1 of this Zoning Ordinance.

3. Alternative energy facilities designed and utilized as an accessory use, which may include manure digesters, shall be permitted by conditional use within the AG, I-1 and I-2 Zoning Districts, subject to the applicable provisions specified under Section 23050.1 of this Zoning Ordinance.

4. Alternative energy facilities designed and operated as a local service area facility, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities, shall be permitted by right within the I-1, I-2 and BP Zoning Districts, subject to the provisions specified under Section 23050.1 of this Zoning Ordinance.

Section 23050.1: Alternative Energy Facilities as an Accessory Use															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right	A 1, 2	A 1, 2	A 1	A 1	A 1	A 1, 4	A 1, 4	A 1, 4	A 1, 4	A 1, 4	A 1	A 1	A 1	A 1	A 1
Special Exception															
Conditional Use	A 3							A 3	A 3						
P = Principal Use							A = Accessory Use								
1 = Geothermal, Solar, Wind Systems							2 = Wood Fire Boilers								
3 = Manure Digesters							4 = Local Service Area Facility								

5. The chart contained under Section 23050.1.B of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23050.1 and the underlying zoning district provides specific regulations for alternative energy facilities as an accessory use.

6. Alternative energy facilities designed and utilized as a principal use are permitted by conditional use in the AG, I-1, I-2 and BP Zoning Districts, subject to the provisions of Section 23050.2 of this Zoning Ordinance.

7. Alternative energy facilities constructed prior to the effective date of this Section of the Zoning Ordinance shall not be required to meet the requirements specified under this Section of the Zoning Ordinance. Any physical modification to an existing alternative energy facility that alters the size, type and generating capacities of the facilities (old and new) shall require a permit and shall comply with the applicable provisions specified under this Section of the Zoning Ordinance.

8. Alternative energy facilities as an accessory use may be utilized as the primary energy source for the principal use on the lot on which it is located. Surplus energy may be exchanged, transferred and/or sold to a public or private utility company, provided that such surplus energy is exchanged, transferred and/or sold in accordance with the provisions established by the Public Utility Commission and Public Utility Code.

9. Private Energy and Utility Providers, as defined under Section 2020 of this Zoning Ordinance, shall comply with all provisions established by the Public Utility Commission and the Public Utility Code.

C. Land Use and Dimensional Requirements:

1. Geothermal Heat Pumps: The following provisions shall specifically apply to geothermal heat pumps and appurtenant structures that are designed with a closed loop system:

a. Geothermal heat pumps shall be permitted by right as an accessory use provided that such facilities are located on a lot with a permitted use in accordance with the provisions of the Zoning Ordinance.

b. If the geothermal heat pumps are located within the AG, I-1, I-2 and BP Zoning Districts, the geothermal heat pump may be the principal use of the property. All such principal uses shall be permitted by conditional use, subject to Sections 23050.2 and 25080 of this Zoning Ordinance.

c. All geothermal heat pumps shall be located, designed and installed as per the manufacturer's specifications as well as all zoning, building code and utility requirements.

d. Geothermal Heat pumps that are designed as an attached alternative energy facility shall be permitted provided that all appurtenant structures and/or facilities associated with their operation do not exceed the permitted maximum building height requirements for accessory buildings, with no exceptions, of the zoning district on which it is located.

e. All geothermal heat pumps and appurtenant structures and/or facilities associated with their operation shall be setback from all property lines a distance of not less than the normal setback requirements for accessory buildings/structures in that zoning district or at least fifteen (15) feet from all property lines and all street right of way lines, whichever is larger. The required setback distance shall be measured from the nearest edge of the geothermal heat pump and appurtenant structures and/or facilities associated with their operation to the property line or right of way line. All geothermal heat pumps and/or any appurtenant structures and/or facilities associated with their operation, shall comply with the building and lot coverage requirements of the zoning district on which it is located.

f. No visible appurtenant structures and/or facilities associated with the operation of a geothermal heat pump shall be permitted in the front yard of the lot on which it is located and shall be a minimum of fifteen (15) feet to the rear of the front face of the principal building.

g. The use shall emit no noise, glare, odor, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat or any other perceptible or objectionable nuisances that would impact or affect neighboring properties, or be noticeable at the property line.

h. Geothermal heat pumps designed with an open loop system shall be prohibited.

2. Solar Energy Systems: The following provisions shall specifically apply to solar energy systems and appurtenant structures and/or facilities associated with their operation :

a. Solar energy systems shall be permitted by right as an accessory use provided that such facilities are located on a lot with a permitted use in accordance with the provisions of the Zoning Ordinance.

b. If the solar energy system is located within the AG, I-1, I-2 and BP Zoning Districts, the solar energy system may be the principal use of the property. All such principal uses shall be permitted by conditional use, subject to Sections 23050.2 and 25080 of this Zoning Ordinance.

c. All solar energy systems and/or any appurtenant structures and/or facilities associated with their operation, shall be located, designed and installed as per the manufacturer's specifications as well as all zoning, building code and utility requirements.

d. Solar energy systems and/or any appurtenant structures and/or facilities associated with their operation, that are designed as an attached alternative energy facility shall be permitted provided that all structural components of the solar energy system do not exceed the permitted maximum building height requirements, with no exceptions, of the zoning district on which it is located.

e. Solar energy systems and/or any appurtenant structures and/or facilities associated with their operation, designed and permitted as a freestanding alternative energy facility shall not exceed fifteen (15) feet in height and shall be located a distance of not less than the normal setback requirements for accessory buildings/structures in that zoning district or at least fifteen (15) feet from a property line. All such solar energy systems and/or any appurtenant structures or facilities associated with their operation shall comply with the building and lot coverage requirements of the zoning district on which it is located. Lot coverage for solar energy systems, and/or any appurtenant structures and/or facilities associated with their operation, shall be calculated as total covered area including any movement, as viewed on plan view (aerial view). The required setback distance shall be measured from the closest part of the solar energy panel and/or any appurtenant structures and/or facilities associated with their operation, to all property lines.

f. Solar energy systems and/or any appurtenant structures and/or facilities associated with their operation that are designed and permitted as a freestanding solar energy systems shall be setback not less than 1.1 times the height of the solar energy systems, and/or any appurtenant structures and/or facilities associated with their operation, height. The required setback distance shall be measured from the nearest edge of the solar energy systems and/or any appurtenant structures or facilities associated with their operation to the nearest point of any/all occupied buildings.

g. All solar energy systems and/or any appurtenant structures and/or facilities associated with their operation shall be setback from all property lines a distance of not less than the normal setback requirements for accessory buildings/structures in that zoning district or 1.1 times the solar energy systems height, whichever is greater. The required setback distance shall be measured from the nearest edge of the solar energy systems and/or any appurtenant structures or facilities associated with their operation to the property line.

h. No solar energy systems, and/or any appurtenant structures and/or facilities associated with their operation, shall be permitted in the front yard of the lot on which it is located and shall be a minimum of fifteen (15) feet to the rear of the front face of the principal building, with the exception of roof mounted solar panels.

i. All solar energy systems, and/or any appurtenant structures and/or facilities associated with their operation, shall be setback from all public roads a distance of not less than 1.1 times the solar energy systems height, as measured from the nearest edge of the solar energy systems to the right-of-way line of all public roads.

j. Solar energy panels shall be designed and located in order to eliminate glare towards any occupied residential use adjacent properties and/or any street right of way.

k. The use shall emit no noise, glare, odor, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat or any other perceptible or objectionable nuisances that would impact or affect neighboring properties, or be noticeable at the property line.

3. Wind Turbines or Wind Energy Facilities: The following provisions shall specifically apply to wind turbines or wind energy facilities and/or appurtenant structures and/or facilities associated with their operation:

a. Wind turbines or wind energy facilities shall be permitted by right as an accessory use provided that such facilities are located on a lot with a permitted use in accordance with this Zoning Ordinance.

b. If the wind turbines or wind energy facilities are located within the AG, I-1, I-2 and BP Zoning Districts, the wind turbines or wind energy facilities may be the principal use of the property. All such principal uses shall be permitted by conditional use, subject to the provisions of Sections 23050.2 and Section 25080 of this Zoning Ordinance.

c. All wind turbines or wind energy facilities and/or any appurtenant structures and/or facilities associated with their operation, shall be located, designed and installed as per the manufacturer's specifications as well as all zoning, building code and utility requirements.

d. All wind turbines and wind energy facilities shall be equipped with a redundant braking system, which shall include both aerodynamic over-speed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for over-speed protection.

e. Wind turbines or wind energy facilities, and/or any appurtenant structures and/or facilities associated with their operation, that are designed as an attached alternative energy facility shall be permitted provided that all structural components of the solar energy system do not exceed the permitted maximum building height requirements of the zoning district on which it is located.

f. Wind turbines shall not be climbable up to fifteen (15) feet above ground surface. All access doors to wind turbines and electrical equipment shall be locked or fenced, as appropriate, to prevent entry by non-authorized persons.

g. The minimum height of a wind turbine or wind energy facilities shall be fifteen (15) feet, as measured from the ground surface to the tip of the blade at its lowest turning movement.

h. The maximum height of a wind turbine or wind energy facilities, and/or any appurtenant structures facilities associated with their operation, shall be fifty (50) feet, as measured from the ground surface to the tip of the blade at its highest turning movement.

i. Wind turbines or wind energy facilities, and/or any appurtenant structures and/or facilities associated with their operation, which are designed and permitted as a freestanding alternative energy facility shall be setback not less than 1.1 times the turbine height. The required setback distance shall be measured from the edge of the wind turbine base or any appurtenant structures or facilities associated with their operation, to the nearest point of any/all occupied buildings.

j. All wind turbines or wind energy facilities and/or any appurtenant structures and/or facilities associated with their operation, shall be setback from all property lines a distance of not less than the normal setback requirements for accessory buildings and structures in that zoning district or 1.1 times the wind turbines or wind energy facilities, and/or any appurtenant structures and/or facilities associated with their operation, height, whichever is greater. The required setback distance shall be measured from the nearest edge of the wind turbines or wind energy facilities to the property line. All wind turbines or wind energy facilities and/or any appurtenant structures and/or facilities associated with their operation, shall comply with the building and lot coverage requirements of the zoning district on which it is located.

k. No wind turbine or wind energy facilities, and/or any appurtenant structures and/or facilities associated with their operation, shall be permitted in the front yard of the lot on which it is located and shall be a minimum of fifteen (15) feet to the rear of the front face of the principal building.

l. All wind turbines or wind energy facilities, and/or any appurtenant structures and/or facilities associated with their operation, shall be setback from all public roads a distance of not less than 1.1 times the turbine height, as measured from the nearest edge of the wind turbine base or wind energy facilities and/or any appurtenant structures and/or facilities associated with their operation, to the right-of-way line of all public roads.

m. The use shall emit no noise, glare, odor, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat or any other perceptible or objectionable nuisances that would impact or affect neighboring properties, or be noticeable at any property line.

n. All wind turbines or wind energy facilities shall have no shadow flicker at the property line or beyond the property line.

4. Wood-Fired Boilers: The following provisions shall specifically apply to wood-fired boilers and the appurtenant structures and/or facilities associated with their operation:

   a. Wood-fired boilers and appurtenant structures and/or facilities associated with their operation shall be permitted by right as an accessory use within the AG and R-1 Zoning Districts, provided that such facilities are located on a lot with a permitted use in accordance with the applicable provisions of the Zoning Ordinance.

   b. Wood-fired boilers may be located on a lot provided that it is located, designed and installed considering the health, safety and /or general welfare of the adjacent property owners.

   c. Wood-fired boilers shall be located on a conforming lot with a minimum lot area of two (2) acres.

   d. Wood-fired boilers shall be located, designed and installed as per the manufacturer's specifications as well as all zoning, building code and utility requirements.

   e. Wood-fired boilers and appurtenant structures and/or facilities associated with their operation, designed as a freestanding alternative energy facility shall have a minimum height of ten (10) feet and maximum height of twenty (20) feet.

   f. Wood-fired boilers shall comply with the building and lot coverage requirements of the zoning district on which it is located.

   g. Wood-fired boilers and appurtenant structures and/or facilities associated with their operation, shall be setback from all property lines a distance of not less than one hundred and fifty (150) feet from any property line and any street right-of-way line. The required setback distance shall be measured from the nearest edge of the wood-fired boiler and any appurtenant structures and/or facilities associated with their operation, to all property lines and street right-of-way lines.

   h. No wood-fired boilers, and/or any appurtenant structures and/or facilities associated with their operation, shall be permitted in the front yard of the lot on which it is located and shall be a minimum of fifteen (15) feet to the rear of the front face of the principal building.

   i. Wood-fired boilers shall be installed, operated and maintained in accordance with all pertinent state and federal emissions requirements.

   j. Wood-fired boilers shall only burn clean wood, wood pellets made from clean wood, home heating oils, natural gas, propane, or other approved substance that is specified by state and federal guidelines for wood-fired boilers.

   k. The following materials shall be prohibited as a burning element or fuel for a wood-fired boiler: treated or painted wood; furniture; garbage; tires; lawn clipping or yard waste; plastic; rubber; petroleum waste; paints and paint thinners; chemicals; hazardous waste; coal; glossy colored paper; construction and demolition debris; plywood; particleboard; salt water driftwood; manure; animal carcasses; and/or asphalt products.

   l. It shall be unlawful to burn materials that classified and/or categorized as biological waste, hazardous waste, infectious waste, pathological waste, municipal waste, residual waste, nuclear waste and/or untreated sewage waste, as defined by the Pennsylvania Department of Environmental Protection and the Pennsylvania Solid Waste Management Act.

   m. No person shall cause, suffer or permit the burning of any material in a manor that:

      (1) The emissions are visible, at any time, at the point such emissions pass outside the property of the person on whose land the wood-fired boiler and appurtenant structures and/or facilities associated with their operation are located;

      (2) Malodorous air contaminants from the burning are detectable outside the property of the person in whose land the wood-fired boiler and appurtenant structures and/or facilities associated with their operation are located;

      (3) The emissions interfere with the reasonable enjoyment of life or property;

(4) The emissions cause damage to vegetation or property; or

(5) The emissions are or may be deleterious to human or animal health.

n. The use shall emit no noise, glare, odor, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat or any other perceptible nuisances that would impact or affect neighboring properties, or be noticeable at the property line.

5. Manure Digesters: The following provisions shall specifically apply to manure digesters and the appurtenant structures and/or facilities associated with their operation

a. Manure digesters as an accessory use shall be permitted by conditional use in the AG, I-1 and I-2 Zoning Districts, provided that such facilities are located on a lot with a permitted use in accordance with the applicable provisions of the Zoning Ordinance.

b. Manure digesters may be located on a lot provided that it is located, designed and installed considering the health, safety and /or general welfare of the adjacent property owners.

c. Manure digesters shall be designed and located in order to minimize smoke and odor that is emitted and directed towards an occupied residential use.

d. Manure digesters and appurtenant structures and/or facilities associated with their operation shall be located on a conforming lot with a minimum lot area of ten (10) acres.

e. Manure digesters shall be located, designed and installed as per the manufacturer's specifications as well as all zoning, building code and utility requirements.

f. Manure digesters and appurtenant structures and/or facilities associated with their operation, designed as an alternative energy facility shall have a maximum height of thirty (30) feet.

g. Manure digesters shall comply with the building and lot coverage requirements of the zoning district on which it is located.

h. Manure digesters shall be setback from all property lines a distance of not less than one hundred and fifty (150) feet from any property line and any street right-of-way line. The required setback distance shall be measured from the nearest edge of the manure digester to all property lines and street right-of-way lines.

i. No manure digesters shall be permitted in the front yard of the lot on which it is located and shall be a minimum of fifteen (15) feet to the rear of the front face of the principal building.

j. Manure digesters shall be installed, operated and maintained in accordance with all pertinent state and federal emissions requirements.

k. The use shall emit no noise, glare, odor, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat or any other perceptible or generally objectionable nuisances that would impact or affect neighboring properties.

6. Local Service Area Facility: The following provisions shall specifically apply to alternative energy facilities that are designed as a permitted local service area facility, as defined by this Zoning Ordinance:

a. Alternative energy facilities designed and operated as a local service area facility, which may include geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities shall be permitted by right within the C-2, C-3, I-1, I-2 and BP Zoning Districts, subject to the provisions that are specified under Section 23050.1 of this Zoning Ordinance.

b. The local service area facility shall be located on a conforming lot as a single use or in combination with other permitted uses, which provides alternative energy via a solar, wind or geothermal system within a 3,000 linear foot service area, as measured from the energy source to the permitted uses accepting the service.

c. The lot area and setback provisions for an alternative energy facility utilizing geothermal heat pumps, solar energy systems, wind turbines or wind energy facilities shall comply with the provisions specified by the underlying zoning district as well as the provisions that are specified under Section 23050.1 of this Zoning Ordinance.

d. The alternative energy facilities shall be located, designed, installed and operated in accordance with the applicable provisions that are specified under Section 23050.1 of this Zoning Ordinance.

D. Permit and Application Requirements

1. No alternative energy facility or renewable resource system shall be located, modified or constructed within East Lampeter Township unless a permit has been issued to the landowner in accordance with the provisions of this Section of the Zoning Ordinance.

2. The landowner shall provide documentation of the land and airspace on his property, which must remain open to assure adequate solar access, water and/or wind to the renewable energy system.

a. The documentation shall include scaled drawings showing all buildings and structures on the applicant's property and adjacent properties. Dimensions that provide description of size and location of these structures and buildings shall also be shown.

b. The documentation shall include photographs to establish conditions at the time of the application.

3. A full description of proposed alternative energy facility or renewable resource system will be included in the documentation. It will fully describe the facility and/or system and all appurtenant structures and/or facilities associated with there operation.

4. A statement of the estimated output of the proposed alternative energy facility or renewable resource system and where the energy will be utilized.

5. A letter of agreement with a Private Energy and Utility Provider if the power or energy is to be conveyed off the applicant's property.

6. The applicant shall notify the Zoning Officer when the alternative or renewable resource system has been installed. The landowner shall also provide the Zoning Officer with any other permits that have been obtained from agencies with jurisdiction in order to locate the alternative or renewable energy resource system on his property.

7. All such documentation shall be considered as part of the permit application.

E. Design and Installation Requirements

1. Above-ground alternative energy facilities shall be clear-coated, transparent, and/or be designed with a non-obtrusive color such as white, off-white, gray or black. All such facilities shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other agency that regulates air safety.

2. Clearly visible warning signs concerning voltage must be placed at the base of all above-ground transformers and substations. Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of ten (10) feet from the ground.

3. Above-ground alternative energy facilities shall not be combined with other support towers or accessory structural components that are devoted to or utilized by public or private utilities

F. Decommissioning

1. The landowner or facility operator shall complete decommissioning of the alternative energy facility within (12) twelve months after the end of its useful life. The alternative energy system will presume to be at the end of its useful life if no energy is generated for a continuous period of twelve (12) months.

2. The removal of the above-ground alternative energy facility components shall be completed within twelve (12) months of decommissioning of the alternative energy system. All disturbed earth shall be restored, graded and re-seeded.

3. If the landowner or facility operator fails to complete decommissioning during the prescribed period of twelve (12) months, the Township may take such measures as necessary to complete decommissioning in accordance with this Zoning Ordinance and the Commonwealth of Pennsylvania.

Section 23050.2: Alternative Energy Facilities as a Principal Use

A. Purpose and Objective

1. East Lampeter Township seeks to provide opportunities for alternative energy facilities as a principal use while regulating the use of potentially intrusive facilities, equipment and machinery.

2. The purpose of Section 23050.2 of this Zoning Ordinance is to establish provisions for the design, permitting, construction and operation of alternative energy facilities as a principal use within East Lampeter Township, subject to reasonable conditions that will protect the health, safety and/or general welfare of the community.

B. Applicability and Permitted Uses: This Section of the Zoning Ordinance shall apply to all alternative energy facilities that are proposed to be constructed after the effective date of this Zoning Ordinance. Alternative energy facilities that are designed and utilized as an accessory use shall be permitted as follows:

1. Alternative energy facilities designed and utilized as a principal use, which may include geothermal heat pumps, solar energy systems, wind turbines and/or wind energy facilities are permitted by conditional use within the AG, I-1, I-2 and BP Zoning Districts, subject to the provisions specified under Section 23050.2 of this Zoning Ordinance.

Section 23050.2: Alternative Energy Facilities as a Principal Use															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right															
Special Exception															
Conditional Use	P, A 1, 2							P 1, 2	P 1, 2	P 1, 2					
P = Principal Use					A = Accessory Use										
1 = Special Lot Size Requirements					2 = Geothermal, Solar, Wind Systems										

2. The chart contained under Section 23050.2.B of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23050.2 and the underlying zoning district provides specific regulations for alternative energy facilities as a principal use.

3. Alternative energy facilities as a principal use shall comply with all applicable regulations of this Zoning Ordinance and other ordinance adopted by East Lampeter Township, including but not limited to, the requirements for landscaping, lighting, noise standards, off-street parking, off-street loading and signage.

4. Alternative energy facilities as a principal use shall be located, designed and operated to serve other uses within a regional service area, which is supplied by an energy service provider regulated by the Public Utility Commission and Public Utility Code.

5. Surplus energy may be exchanged, transferred and/or sold to a public or private utility company, provided that such surplus energy is exchanged, transferred and/or sold in accordance with the provisions established by the Public Utility Commission and Public Utility Code.

6. Private Energy and Utility Providers, as defined under Section 2020 of this Zoning Ordinance, shall comply with all provisions established by the Public Utility Commission and the Public Utility Code.

C. Land Use and Dimensional Requirements

1. A minimum of ten (10) acres of land area shall be required to accommodate alternative energy facilities as a principal use.

2. The alternative energy facilities and/or any appurtenant structures and/or facilities associated with their operation, shall be located, designed and installed as per the manufacturer's specifications as well as all zoning, building code and utility requirements.

3. The alternative energy facilities and/or any appurtenant structures and/or facilities associated with their operation shall be located at least one hundred fifty (150) feet from the property line and street right-of-way line. The required setback distance shall be measured from the closest part of the alternative energy facility and/or any appurtenant structures and/or facilities associated with their operation the property line and street right-of-way line.

4. The alternative energy facilities and/or any appurtenant structures or facilities associated with their operation shall comply with the building and lot coverage requirements of the zoning district on which it is located. Lot coverage and building coverage requirements for alternative energy facilities shall be calculated as total covered area including any movement, as viewed on plan view (aerial view). The required setback distance shall be measured from the closest part of the solar energy panel and/or any appurtenant structures and/or facilities associated with their operation, to all property lines.

5. The maximum height of an alternative energy facility utilized as a principal use shall be fifty (50) feet, as measured from the ground surface to the highest point of any building, structure and/or mechanical devises.

6. The alternative energy facilities and/or any appurtenant structures and/or facilities associated with their operation, shall be located, designed and installed as per the manufacturer's specifications as well as all zoning, building code and utility requirements.

D. Permit and Application Requirements

1. The permit application and conditional use application shall demonstrate that the alternative energy facility will comply with the provisions contained under this Section of the Zoning Ordinance. The following specific items shall be provided by the applicant:

   a. A complete narrative describing the proposed alternative energy facility, which shall include: a project overview; the project location; the number of the alternative energy facilities; the area and height of the alternative energy facilities; the initial and potential generating capacities; the facility dimensions; and the manufacturer's specifications.

   b. An affidavit or similar agreement between the landowner and the facility owner/operator demonstrating that the facility owner/operator has the capabilities and permission of the landowner to apply for necessary permits for construction and operation of the alternative energy facility.

   c. A site plan showing the boundary lines of the property occupied by the alternative energy facility and the properties within five hundred (500) feet on which the proposed alternative energy facility will be located. The site plan shall also include: topographical and natural features; the planned location of the alternative energy facilities; the building setback lines; the access road and turnout locations; building and structures; and all public utilities.

   d. The existing and projected annual energy needs of the permitted use that will benefit from the alternative energy facility, including the amount of surplus energy that will be exchanged, transferred and/or sold to a public or private utility company.

2. Other relevant studies, reports, certifications and approvals as may be requested by East Lampeter Township to ensure compliance with this Zoning Ordinance.

3. No alternative energy facility designed as a principal use shall be located, modified or constructed within East Lampeter Township unless a permit has been issued to the landowner in accordance with the provisions of this Zoning Ordinance.

E. Design, Transport and Installation Requirements

1. The design of the alternative energy facility shall conform to applicable industry standards, including those of the American National Standards Institute, the Uniform Construction Code and all other pertinent codes adopted by East Lampeter Township.

2. Audible sound from any alternative energy facility designed as a principal use shall not exceed the noise levels established by East Lampeter Township.

3. The design of the alternative energy facility shall conform to applicable industry standards, including those of the American National Standards Institute, the Uniform Construction Code, and/or other pertinent codes adopted by East Lampeter Township.

4. The following provisions apply to the use of public roads for the transport of alternative energy facilities:

   a. The applicant shall identify all state and local public roads to be used within East Lampeter Township to transport equipment and parts for construction, operation or maintenance of the alternative energy facility.

   b. The East Lampeter Township Engineer shall inspect and document the condition of all roads prior to construction and thirty (30) days after the construction has been completed or as weather permits. The applicant shall be responsible for the payment of all fees associated with the inspections conducted by the East Lampeter Township Engineer.

   c. Any road damage caused by the applicant or its contractors shall be promptly repaired at the applicant's expense to the satisfaction of the East Lampeter Township Engineer.

   d. East Lampeter Township may require the applicant to post a bond for any required repairs or maintenance to public roads.

5. All wind turbines and wind energy facilities shall be equipped with a redundant braking system, which shall include both aerodynamic over-speed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for over-speed protection.

6. Wind turbines shall not be climbable up to fifteen (15) feet above ground surface. All access doors to wind turbines and electrical equipment shall be locked or fenced, as appropriate, to prevent entry by non-authorized persons.

7. Above-ground alternative energy facilities shall be clear-coated, transparent, and/or be designed with a non-obtrusive color such as white, off-white, gray or black. All such facilities shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety.

8. On-site transmission and power lines connected to an alternative energy facility shall be placed underground.

9. Clearly visible warning signs concerning voltage shall be placed at the base of above-ground transformers and substations. Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of ten (10) feet from the ground.

10. Above-ground alternative energy facilities shall not be combined with other support towers or accessory structural components that are devoted to or utilized by public or private utilities.

F. Liability and Insurance Requirements

1. The landowner and the operator shall be responsible for repairing any excess damage to public or private roads caused by the alternative energy facility.

2. The landowner shall maintain a general liability policy covering bodily injury and property damage.

G. Public Inquiries, Inspections, Violations and Remedies

1. The landowner and the facility operator shall provide East Lampeter Township with a telephone number and identify a responsible person for the public to contact with inquiries and complaints throughout the life of the alternative energy facility.

2. The landowner and the facility operator shall consult with a qualified inspector every twelve (12) months to determine if the alternative energy facility is operating in accordance with the specifications of the manufacturer and provide a certified copy to the East Lampeter Township Zoning Officer.

Section 23060: Amusement Parks

A. Amusement parks, as defined under Section 2020 of this Zoning Ordinance, shall be permitted by conditional use within the C-3 Zoning District.

Section 23060: Amusement Parks															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right															
Special Exception															
Conditional Use							P 1								
P = Principal Use			A = Accessory Use				1 = Special Lot Size and Setback Requirements								

B. The chart contained under Section 23060.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23060 and the underlying zoning district provides specific regulations for amusement parks.

C. Permitted Uses: The following principal and accessory uses shall be permitted within an amusement park:

1. The principal use shall be the amusement park.

2. Subordinate or accessory uses within an amusement park shall be limited to: commercial recreation uses; commercial entertainment uses; amusement facilities; adventure rides; family entertainment complex; administrative offices; restaurants, cafeterias; concession stands; retail sales; personal service facilities; child care facilities; and other similar uses. The accessory uses shall be considered subordinate uses that directly benefit the principal uses within the amusement park.

D. Area and Utility Requirements: The following general provisions shall apply to amusement parks:

1. Amusement parks shall contain a minimum of ten (10) acres of land area.

2. Amusement parks shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. Amusement parks shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. All other utility provisions serving amusement park shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

E. Setback, Coverage and Height Requirements: The following specific setback, coverage and height requirements shall apply to amusement parks:

1. The minimum lot width for the amusement park shall be three hundred (300) feet.

2. All principal uses, buildings and/or structures specified under Sections 23060.C.1 and 23060.C.2 of this Zoning Ordinance shall be located at least fifty (50) feet from any street right-of-way line.

3. All accessory uses, buildings and/or structures shall be located at least twenty-five (25) feet from any street right-of-way line.

4. Outdoor recreation uses and activity areas shall be setback a minimum of twenty-five (25) feet from any street right-of-way line.

5. No more than sixty (60) percent of the lot shall be covered by buildings.

6. No more than seventy (70) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving,

7. The maximum height of any building or structure shall be fifty (50) feet, as measured from the average ground elevation to the highest point of the building or structure.

8. Any structures exceeding the maximum permitted height may be permitted so long as they are setback from all property lines at least the horizontal distance equal to their height, plus an additional fifty (50) feet or a minimum of one hundred (100) feet from all lot lines. All such structures shall not exceed a height of one hundred (100) feet and shall not be used for human occupancy.

9. All other uses and site improvements shall comply with the bulk and height requirements, which are further specified by the appropriate zoning district to which the amusement park is located.

F. Traffic Control: The following provisions shall apply to vehicular accessibility, parking, loading and other traffic control requirements for an amusement park:

1. The primary points of ingress and egress to the amusement park shall be located along a collector or arterial street.

2. Interior access lanes shall be designed so as to prevent traffic congestion at points of ingress and egress. All proposed areas designated for parking and loading shall be planned and arranged so they may be utilized without interfering with the interior traffic circulation and parking facilities.

3. Loading and parking facilities shall be located at least fifty (50) feet from all street right-of-way lines and property lines. All off-street loading and parking facilities shall comply with the requirements specified under Sections 22150 and 22160 of this Zoning Ordinance.

4. Any booths or other structures utilized for the collection of admission and/or parking fees shall be setback and arranged to prevent vehicle back-ups on adjoining roads during peak arrival periods. Any other collection of fees, such as by roaming parking lot attendants, shall be conducted in such a manner as to prevent vehicle backups on adjoining roads. The landowner and operator of the amusement park shall be responsible to resolve, mitigate and/or correct any traffic congestion problems that occur on public roads, which are related to the points of ingress and egress to the amusement park.

5. Outside pedestrian waiting lines shall be provided with a means of shade and/or relief from the exposure of the sun and heat.

Section 23070: Apartment as an Accessory Use

A. Apartments as accessory use, as defined under Section 2020 of this Zoning Ordinance shall be permitted as follows:

1. An apartment as an accessory use to a permitted non-residential use shall be permitted by right in the C-1, MU, BH, VG, VC and VR Zoning Districts.

2. An apartment as an accessory use to a permitted single-family detached dwelling shall be permitted within the R-1, R-2, R-3, MU, BH, VG, VC and VR Zoning Districts.

Section 23070: Apartment as an Accessory Use to a Permitted Accessory Use															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right		A 2	A 2	A 2	A 1						A 1, 2	A 1, 2	A 1, 2	A 1, 2	A 2
Special Exception															
Conditional Use															
P = Principal Use						A = Accessory Use									
1 = Accessory to permitted non-residential use						2 = Accessory to a permitted single-family detached residential use									

B. The chart contained under Section 23070.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23070 and the provisions of the underlying zoning district shall apply to apartments as an accessory use to a permitted non-residential use.

C. Permitted Uses: The building occupying the permitted principal use and the accessory apartment use shall comply with the following provisions:

1. The maximum number of apartment units shall are accessory to a permitted use shall be as follows:

   a. No more than two (2) apartment units shall be permitted on a lot with a non-residential use.

   b. No more than one (1) apartment unit shall be permitted on a lot with a single-family use.

2. The first floor of the building occupied by a non-residential shall be permitted by right within the zoning district on which the principal use is located. The non-residential use shall be considered as the principal use that is owned and managed by the landowner of the permitted non-residential use.

D. General Requirements: The following general provisions shall apply to an apartment as an accessory use to a permitted non-residential use:

1. The principal and accessory use shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The principal and accessory use shall be serviced by public water supply (where available) or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the principal and accessory use shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services shall be installed underground.

4. Unless otherwise required, the principal and accessory use shall have separate utility connections for sanitary sewage disposal, water supply, electric, telephone, natural gas and cable services.

5. The applicant shall provide documentation that all plumbing, heating, electrical, sanitary sewage disposal, water supply, storm sewer, and similar facilities comply with all applicable ordinances, regulations and laws specified by East Lampeter Township and/or the Commonwealth of Pennsylvania.

Section 23080: Automobile Repair Facility and/or Service Station

A. Automobile repair facilities and/or service stations, as further defined under Section 2020shall be permitted as follows:

1. An automobile repair facility and/or service station shall be permitted by right within the C-2 Zoning District.

2. An automobile repair facility and/or service station shall be permitted by special exception within the C-1 and VC Zoning Districts.

3. An existing automobile repair facility and/or service station shall be permitted by right within the MU Zoning Districts.

4. A new or proposed automobile repair facility and/or service station shall be permitted by special exception within the MU Zoning Districts

5. An automobile repair facility located and contained within an enclosed conforming building shall be permitted by special exception within t VG Zoning Districts.

Section 23080: Automobile Repair Facility and Service Station															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right						P 1, 2					P 1,2,4				
Special Exception					P 1, 2						P 1,2,5		P 1,2,3	P 1, 2	
Conditional Use															

P = Principal Use	A = Accessory Use	1 = Automobile Repair Facility
2 = Automobile Service Station	3 = Located and contained within a conforming building	
4 = Existing Use within the MU Zoning District	5 = New or Proposed Use within the MU Zoning District	

B. The chart contained under Section 23080.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23080 and the provisions of the underlying zoning district shall apply to automobile repair facilities.

C. General Regulations and Use Requirements: Unless otherwise permitted by East Lampeter Township, the following use limitations and restrictions shall apply to automobile repair facilities:

1. The automobile repair facility and/or service station shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The automobile repair facility and/or service station shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the automobile repair facility and/or service station shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the authority providing service, the utility services shall be installed underground

4. The sale of automobiles shall not be permitted as a principal use or commercial option for an automobile repair facility. All such uses shall be permitted in accordance with the provisions specified under Section 23090 of this Zoning Ordinance

5. Car wash facilities shall not be permitted as a principal use or commercial option for an automobile repair facility and/or service station. All such uses shall be permitted in accordance with the provisions specified under Section 23150 of this Zoning Ordinance.

6. Drive-through service facilities shall be designed with sufficient on-site stacking or queuing lanes in order to prevent the traffic congestion and/or the back-ups onto adjoining roads or adjacent properties.

7. Automobile repair facilities shall include cars, light-duty trucks (PennDOT Class 1 through 3) and/or motorcycles. Vehicles exceeding these parameters shall be classified as a heavy-duty trucks or vehicles, which may be permitted in accordance with the provisions specified under Section 23350 or Section 23650 of this Zoning Ordinance.

8. The sale of automobile parts, oil, lubricants and petroleum products may be permitted as an accessory use to an automobile repair facility. No more than twenty-five (25) percent of the gross floor area of the building occupying the automobile repair facility shall be utilized for retail sales.

9. All vehicles that have been brought in for service, maintenance or repair shall be in a state of active repair and shall not be permitted on the premises for a period of more than sixty (60) days. All permitted vehicles and materials that are stored outdoors shall be located outside of the street right-of-way and no closer than twenty (20) feet to any other property line.

10. The on-site demolishing or dismantling of vehicles for salvage or parts shall be prohibited.

11. No outdoor storage of parts, equipment, lubricants, fuel or other materials used or discarded as part of the automobile repair facility shall be permitted.

12. All vehicles that are stored on the property shall be in an active state of repair or scheduled to be repaired.

Section 23090: Automobile Sales

A. Automobile sales, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted by right within the C-2 Zoning District.

Section 23090: Automobile Sales															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right						P									
Special Exception															
Conditional Use															
P = Principal Use					A = Accessory Use										

B. The chart contained under Section 23090.A of this Zoning Ordinance has been provided as a general reference guide. Section 23090 and the provisions of the underlying zoning district shall apply to automobile sales.

C. General Regulations: The following general regulations shall apply to automobile sales:

1. The automobile sales facility shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The automobile sales facility shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the automobile sales facility shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the authority providing service, the utility services and connections shall be installed underground.

4. The sale of gasoline, diesel fuel, kerosene and/or other petroleum products shall not be permitted as a principal use or commercial option for an automobile sales facility. All such uses shall be permitted in accordance with the provisions specified under Section 23100 of this Zoning Ordinance.

5. Car wash facilities shall not be permitted as a principal use or commercial option for an automobile sales facility. All such uses shall be permitted in accordance with the provisions specified under Section 23150 of this Zoning Ordinance.

6. Drive-through service facilities shall be designed with sufficient on-site stacking or queuing lanes in order to prevent the traffic congestion and/or the back-ups onto adjoining roads or adjacent properties.

7. Automobile sales shall include cars, light-duty trucks (PennDOT Class 1 through 3) and/or motorcycles. Vehicles exceeding these parameters shall be classified as a heavy-duty trucks or vehicles, which may be permitted in accordance with Section 23350 or Section 23650 of this Zoning Ordinance.

8. The sale of automobile parts, oil, lubricants and petroleum products may be permitted as an accessory use to an automobile sales facility. No more than twenty-five (25) percent of the gross floor area of the building occupying the automobile sales facility shall be utilized for retail sales.

9. All vehicles that have been brought in for service, maintenance or repair shall be in a state of active repair and shall not be permitted on the premises for a period of more than sixty (60) days. All permitted vehicles and materials that are stored outdoors shall be located outside of the street right-of-way and no closer than twenty (20) feet to any other property line.

10. The on-site demolishing or dismantling of vehicles for salvage or parts shall be prohibited.

11. No outdoor storage of parts, equipment, lubricants, fuel or other materials used or discarded as part of the automobile sales facility shall be permitted.

Section 23100: Reserved

Section 23110: Bed and Breakfast Establishment and Tourist Home

A. Bed and Breakfast establishment, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as a principal or accessory use shall be permitted as follows:

1. By right within the R-1, MU, BH, VG, VC and VR Zoning Districts.

2. By special exception within the AG, R-2, R-3 and C-1 Zoning Districts.

B. Tourist homes, as defined under Section 2020, shall be permitted as a principal or accessory use as follows:

1. By right within the R-1, MU, BH, VG, VC and VR Zoning Districts.

2. By special exception within the AG, R-2, R-3 and C-1 Zoning Districts.

Section 23110: Bed and Breakfast Establishments and Tourist Homes															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right		P, A 1, 2									P, A 1, 2	P, A 1, 2	P, A 1, 2	P, A 1, 2	P, A 1, 2
Special Exception	P, A 1, 2		P, A 1, 2	P, A 1, 2	P, A 1, 2										
Conditional Use															
P = Principal Use						A = Accessory Use									
1 = Bed and Breakfast Establishment						2 = Tourist Home									

C. The chart contained under Sections 23110.A and 23110.B of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23110 and the provisions of the underlying zoning district shall apply to bed and breakfast establishments and tourist homes.

D. Utility Provisions: The following utility provisions shall apply to a breakfast establishments and tourist homes:

1. The bed and breakfast establishment or tourist home shall be serviced by public or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The bed and breakfast or tourist home establishment shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with all plans and ordinances.

3. The sanitary sewage disposal facilities and the water supply facilities shall have sufficient capacities to provide service to the single-family detached dwelling as well as the as well as any proposed uses.

4. All other utility provisions serving the use shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground

E. The following general provisions shall be required for bed and breakfast establishment:

1. The bed and breakfast establishment shall be contained within a single-family detached dwelling or accessory building that is either an owner-occupied dwelling unit or non-owner occupied dwelling unit.

2. The bed and breakfast establishment shall not have more than five (5) rental units.

3. The principal use shall contain sanitary sewage disposal services, washing and bathing facilities, and a central kitchen with cooking facilities to accommodate the occupants plus all of the guests.

4. Cooking facilities shall only be permitted within designated common areas that comply with the provisions of East Lampeter Township and the UCC. No cooking facilities shall be permitted in any rental units.

5. The applicant shall provide documentation to East Lampeter Township that all plumbing, heating, electrical, sanitary sewage disposal, water supply, storm sewer, and similar facilities comply with code requirements.

6. Meals shall only be offered only to registered guests.

7. All external common facilities utilized for entertainment and recreation for the guests shall be located at least twenty (20) feet from all property lines.

8. Non-resident employees shall be limited to two (2) employees.

9. A single decorative on-site sign, measuring four (4) square feet per side shall be permitted for the use.

10. An emergency management plan should be developed by the owner in the event of a catastrophic event resulting from flooding, fire, snow, ice, earthquake, utility outage, or other catastrophic event.

11. The owner shall maintain a register, which shall include the names, addresses and length of stay of all guests.

12. The length of stay for any guest at a bed and breakfast shall not exceed fourteen (14) consecutive days.

F. The following general provisions shall apply to tourist homes:

1. The tourist home shall be contained within a single-family detached dwelling that is either an owner-occupied dwelling unit or non-owner occupied dwelling.

2. The tourist home shall not be occupied by more than ten (10) guests.

3. The principal use or single-family detached dwelling shall contain complete sanitary sewage disposal services, washing and bathing facilities, and a central kitchen to accommodate the occupants the guests.

4. The applicant shall provide documentation to East Lampeter Township that all plumbing, heating, electrical, sanitary sewage disposal, water supply, storm sewer, and similar facilities comply with code requirements.

5. The length of stay for any guest at a tourist home shall not exceed thirty (30) consecutive days.

Section 23120: Boarding House

A. Boarding house, as defined under Section 2020 of this Zoning Ordinance, shall be permitted by special exception as an accessory use to a permitted single-family dwelling within R-3 Zoning District.

Section 23120: Boarding House															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right															
Special Exception				A 2											
Conditional Use															
P = Principal Use				A = Accessory Use											

B. The chart contained under Section 23120.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23120 and underlying zoning district shall apply to boarding house.

C. General Requirements: The following general standards shall be required for boarding house:

1. The boarding house shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The boarding house shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. The sanitary sewage disposal facilities and the water supply facilities shall have sufficient capacities to provide service to the single-family detached dwelling as well as the boarding house.

4. All other utility provisions serving the boarding house shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

5. The boarding house shall be contained within a single-family detached dwelling that is an owner-occupied dwelling unit. The principal use shall remain that of a single-family detached residential dwelling unit.

6. The owner of the boarding house shall be a permanent resident of the establishment.

7. The boarding house shall not have more than three (3) rental units that may be available to not more than three (3) unrelated guests.

8. The principal use shall contain sanitary sewage disposal services, washing and bathing facilities, and a central kitchen with cooking facilities to accommodate the occupants of the boarding house.

9. No cooking facilities of any kind shall be permitted in any rental units within the boarding house.

10. The applicant shall provide documentation that all plumbing, heating, electrical, sanitary sewage disposal, water supply, storm sewer, and similar facilities comply with all code requirements.

11. An emergency management plan should be developed by the owner in the event of a catastrophic event resulting from flooding, fire, snow, ice, earthquake, utility outage, or other catastrophic event.

12. No signs shall be permitted to advertise or identify the location of the boarding or rooming house

Section 23130: Bowling Alley

A. Bowling alley, as defined under Section 2020 of this Zoning Ordinance, shall be permitted by right within the C-2 and C-3 Zoning Districts.

Section 23130: Bowling Alley															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right						P	P								
Special Exception															
Conditional Use															
P = Principal Use				A = Accessory Use											

B. The chart contained under Section 23130.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23130 and the underlying zoning districts shall apply to bowling alleys.

C. Permitted Uses: The following principal and accessory uses shall be permitted within a bowling alley:

1. The principal use shall be the bowling alley.

2. Subordinate or accessory uses within a bowling alley shall be limited to: concession stands; snack bars; retail sales; child care facilities; amusement arcades; billiards; administrative offices; and/or other similar uses. The cumulative gross floor area or occupied space area for all such accessory uses shall not occupy more than thirty (30) percent of the cumulative gross floor area or occupied space area of all uses within the bowling alley. The accessory uses shall be considered subordinate uses that directly benefit the patrons within the bowling alley.

3. All permitted uses shall be conducted within an enclosed building that complies with the appropriate building code requirements for a commercial establishment within East Lampeter Township.

D. Utility Requirements: The following general utility provisions shall apply to bowling alleys:

1. Bowling alleys shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. Bowling alleys shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving bowling alley shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

Section 23140: Campgrounds

A. Campgrounds, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. Campgrounds shall be permitted by right in the VC Zoning District.

2. Campgrounds shall be permitted by special exception in the C-3 Zoning District.

Section 23140: Campgrounds															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right														P 1, 2, 3	
Special Exception							P 1, 2, 3								
Conditional Use															
P = Principal Use				A = Accessory Use				1 = Special Lot Size and Setback Requirements							
2 = Special Building Size and Land Use Requirements								3 = Special Vehicular Access Requirements							

B. The chart contained under Section 23140.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23140 and the underlying zoning district provides regulations for campgrounds.

C. Permitted Uses: The following principal and accessory uses shall be permitted within a campground:

1. The principal use shall be the campground.

2. Subordinate or accessory uses within a campground shall be limited to: administrative offices; sanitary facilities; commercial recreation uses; concession stands; retail sales establishments; child care facilities; amusement arcades; and other similar uses. The cumulative gross floor area or occupied space area for all such subordinate or accessory uses shall not occupy more than thirty (30) percent of the cumulative gross floor area or occupied space area of all permitted uses within the campground. The accessory uses shall be considered subordinate uses that directly benefit the patron utilizing the facilities within the campground.

D. Area and Utility Requirements: The following general provisions shall apply to campgrounds:

1. Campgrounds shall contain a minimum of ten (10) acres of land area.

2. Campgrounds shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. Campgrounds shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. All other utility provisions serving campground shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

E. Setback, Coverage and Height Requirements: The following specific setback, coverage and height requirements shall apply to campgrounds:

1. The minimum lot width for the campground shall be three hundred (300) feet.

2. All cabins, buildings and/or permanent structures specified under Sections 23140.C.1 and 23140.C.2 of this Zoning Ordinance shall be located at least fifty (50) feet from any street right-of-way line or property line.

3. All campsites and/or non-permanent structures shall be located at least twenty (20) feet from any street right-of-way line or property line.

4. Recreation uses and activity areas shall be located at least twenty (20) feet from any street right-of-way line or property line.

5. No more than forty (40) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving,

6. The maximum height of any building or structure shall be forty (40) feet, as measured from the average ground elevation to the highest point of the building or structure.

7. All other uses and site improvements shall comply with the bulk and height requirements, which are further specified by the appropriate zoning district to which the campground is located.

F. General Requirements: The following general requirements shall apply to campgrounds:

1. All uses within the campgrounds shall be harmoniously planned as a community for vacation, retreats and temporary occupancy. The applicant or developer shall identify the locations of all permanent and temporary uses and demonstrate how these uses can be amicably planned considering their function and appearance.

2. The following specific provisions shall apply to cabins, campsites, recreation vehicles and tents:

   a. Campsites designated for recreational vehicles shall be limited to fifteen (15) pads or sites per gross acre. All such campsites shall have a minimum area of three hundred (300) square feet. No more than one (1) recreation vehicle or automobile shall be permitted per campsite designated for recreation vehicles.

   b. Campsites designated for tents shall be limited to thirty (30) tents per gross acre. All such campsites shall have a minimum area of one hundred fifty (150) square feet.

   c. Cabins that are owned and maintained by the campground shall comply with the provisions specified by the Commonwealth of Pennsylvania.

3. The following provisions shall apply to permanent and temporary occupancy at the campgrounds:

   a. Except for the landowner, manager and/or caretaker of the campgrounds, no person shall reside or occupy any area of the campground for more that one hundred eighty (180) cumulative days within any calendar year.

b. All permanent cabins, campers, buildings and structures that are located on the property for more than one hundred eighty (180) cumulative days within any calendar year shall be owned and maintained by the campgrounds. The landowner shall provide documentation concerning the licensing and ownership status of all permanent facilities. The permanent cabins, campers, buildings and structures shall not exceed more than ten (10) percent of the total number of campsites within the campground.

c. Unless otherwise specified, no patron or guest shall occupy or reside within the campground for a period of one hundred eight (180) cumulative days within any calendar year.

d. No more than ten (10) percent of the total number of campsites shall contain permanent cabins, campers, buildings, recreational vehicles and/or other structures, which are available to rent to the guests of the campground.

4. The side and rear lot lines of the development shall be adequately screened with a fifteen (15) foot wide landscaped strip or buffer yard, which shall comply with the Subdivision and Land Development Ordinance.

5. Any booths or other structures utilized for the collection of admission and/or parking fees shall be setback and arranged to prevent vehicle back-ups on adjoining roads during peak arrival periods. Any other collection of fees, such as by roaming parking lot attendants, shall be conducted in such a manner as to prevent vehicle backups on adjoining roads. The landowner and operator of the campground shall be responsible to resolve, mitigate and/or correct any traffic congestion problems that occur on public roads, which are related to the points of ingress and egress to the campground.

Section 23150: Car Wash

A. Car wash, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. Car washes shall be permitted as a principal use or accessory use within the C-2 Zoning District.

2. Car washes shall be permitted as an accessory use by right within the BP Zoning District.

Section 23150: Car Wash															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right										A 1					
Special Exception						P, A 1									
Conditional Use															
P = Principal Use				A = Accessory Use				1 = Special Vehicular Access Requirements							

B. The chart contained under Section 23150.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23150 and the underlying zoning district provides regulations for a car wash.

C. General Regulations: The following general regulations and restrictions shall apply to a car wash:

1. The car wash shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The car wash shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. Gray water recycling and treatment equipment shall be incorporated as part of the facility operations. All such equipment shall include provisions for the collection of waste, grease, oil, soap, wax, and other materials that can't be recycled or utilized as part of the operations.

4. All other utility provisions serving the car wash shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

5. The car wash shall be designed to accommodate cars, light-duty trucks (PennDOT Class 1 through 3) and/or motorcycles.

6. The sale of automobile parts, oil, lubricants and petroleum products may be permitted as an accessory use to an automobile repair facility. No more than twenty-five (25) percent of the gross floor area of the building occupying the car wash shall be utilized for retail sales or accessory uses.

7. The side and rear lot lines of the development shall be adequately screened with a fifteen (15) foot wide landscaped strip or buffer yard, which shall comply with the provisions of this Zoning Ordinance and the Subdivision and Land Development Ordinance.

8. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

9. The proposed pre-service or drive-through service lanes shall be designed with sufficient on-site stacking or queuing lanes in order to prevent the traffic congestion and/or the back-ups onto adjoining roads or adjacent properties. Each pre-service or drive-through service lane for the car washing facility shall be at least ten (10) feet in width and one hundred (100) feet in length.

10. A post-washing drying area shall be provided for two (2) vehicles per car washing bay or unit.

11. Any booths or other structures utilized for the collection of admission and/or car wash fees shall be setback and arranged to prevent vehicle back-ups on adjoining roads during peak arrival periods. Any other collection of fees, such as by roaming parking lot attendants, shall be conducted in such a manner as to prevent vehicle backups on adjoining roads. The landowner and operator of the car wash shall be responsible to resolve, mitigate and/or correct any traffic congestion problems that occur on public roads, which are related to the points of ingress and egress to the car wash.

12. The use and related activities shall not emit noise, glare, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat and/or other perceptible or objectionable nuisances that would impact neighboring properties, or be noticeable at or beyond the property line.

Section 23160: Cemetery

A. Cemetery, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as a principal or accessory use by special exception within the AG, R-1, R-2 and R-3 Zoning Districts.

Section 23160: Cemetery															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right															
Special Exception	P, A 1	P, A 1	P, A 1	P, A 1											
Conditional Use															
P = Principal Use				A = Accessory Use				1 = Special Lot Size and Use Requirements							

B. The chart contained under Section 23160.A of this Zoning Ordinance has been provided as a general reference guide. The provisions under Section 23160 and the underlying zoning district provide specific regulations for cemetery.

C. Area and Utility Requirements: The following general provisions shall apply to cemetery:

1. The following lot area requirements and restrictions shall apply to a cemetery:

a. A cemetery located within the AG Zoning District shall not exceed five (5) acres.

b. A cemetery located within the R-1, R-2 and R-3 Zoning Districts shall contain a minimum of five (5) acres.

2. The cemetery shall be serviced by public sanitary or on-lot sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. Cemetery shall be serviced by public water or on-lot supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. All other utility provisions serving cemetery shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

D. Setback, Coverage and Height Requirements: The following setback, coverage and height requirements shall apply to a cemetery:

1. The minimum lot width for the cemetery shall be three hundred (300) feet.

2. All principal buildings or structures shall be located at least one hundred (100) feet from any street right-of-way line or property line.

3. All accessory buildings or structures shall be located at least fifty (50) feet from any street right-of-way line or property line.

4. All burial plots shall be located at least twenty (20) feet from any street right-of-way line or property line.

5. Common facilities and uses within the cemetery shall be located at least one hundred (100) feet from any street right-of-way line or property line.

6. No more than twenty (20) percent of the lot shall be covered by buildings.

7. No more than forty (40) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving,

8. The maximum height of any building or structure shall be forty (40) feet, as measured from the average ground elevation to the highest point of the building or structure.

9. All other uses and site improvements shall comply with the bulk and height requirements, which are further specified by the appropriate zoning district to which the cemetery is located.

E. General Regulations: The following use limitations and restrictions shall apply to a cemetery:

1. Unless otherwise permitted in combination with another permitted uses, the cemetery shall be considered as the principal use.

2. Funeral homes, as a principal or accessory use, shall be subject to the provisions that are specified under Section 23290 of this Zoning Ordinance.

3. Places of worship, as a principal or accessory use, shall be subject to the provisions that are specified under Section 23580 of this Zoning Ordinance.

4. A columbarium or mausoleum may be located at the cemetery provided that the gross floor area does not exceed ten thousand (10,000) square feet

5. An office may be located at the cemetery provided that the gross floor area does not exceed five thousand (5,000) square feet and is exclusively utilized by the landowner, manager or support staff of the cemetery.

6. A maintenance building may be located at the cemetery provided that the gross floor area it does not exceed ten thousand (10,000) square feet and is utilized for equipment and supply storage for the cemetery.

7. Cemeteries shall be operated and managed in accordance with all prevailing state and federal laws.

8. Burial plots shall not be located within the following areas: the floodplain; wetlands; high water table soils; and/or slopes exceeding a slope of twenty-five (25) percent in grade.

9. The use and related activities shall not emit noise, glare, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat and/or other perceptible or objectionable nuisances that would impact neighboring properties, or be noticeable at or beyond the property line.

Section 23170: Community Center for a Residential Development

A. Community center for a residential development, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. Community center for a residential development shall be permitted as an accessory use by right in the R-3 Zoning District.

2. Community center for a residential development shall be permitted as a principal and accessory use by right within the BP Zoning District.

Section 23170: Community Center for a Residential Development															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right				A 1						P, A 1					
Special Exception															
Conditional Use															
P = Principal Use				A = Accessory Use				1 = Special Lot and Building Size Requirements							

B. The chart contained under Section 23170.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23170 and the underlying zoning district provides specific regulations for community center for a residential development.

C. Permitted Uses: The following accessory uses shall be permitted within a community center for a residential development: recreation uses; health and fitness uses; administrative offices; meeting rooms; and/or other similar uses. All uses shall be designed for the residents of the community and shall not be utilized or marketed as a commercial use.

D. Area and Utility Requirements: The following general provisions shall apply to the community center:

1. The community center shall be located either on a fee simple lot within the residential development containing a minimum of one (1) net acre or located within the area designated as common open space.

2. The community center for a residential development shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. The community center for a residential development shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. All other utility provisions serving the community center shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

E. Setback, Coverage and Height Requirements: The following specific setback, coverage and height requirements shall apply to community center for a residential development:

1. All buildings and/or structures specified under Sections 23170.C of this Zoning Ordinance shall be located at least fifty (50) feet from any street right-of-way line or property line.

2. The maximum height of any building or structure shall be forty (40) feet, as measured from the average ground elevation to the highest point of the building or structure.

3. All other uses and site improvements shall comply with the setback, coverage and height requirements, which are specified by the underlying zoning district.

F. Use Limitations and General Restrictions: Unless otherwise permitted by East Lampeter Township, the following use limitations and restrictions shall apply to a community center for a residential development:

1. The community center shall only contain accessory uses for the residential development, which are further specified under Section 23170.C of this Zoning Ordinance.

2. The community center shall not exceed ten thousand (10,000) square feet of gross floor area.

3. The community center shall only be available to the residents of the development and their private guests.

4. The community center shall be planned as an accessory use and feature within the residential development.

5. The community center shall not be occupied as a residential dwelling or principal residential use,

Section 23180: Concentrated Animal Feeding Operation and Concentrated Animal Operation

A. Concentrated animal feeding operation (CAFO) and/or concentrated animal operation (CAO), as defined under Section 2020 of this Zoning Ordinance, shall be permitted by special exception within the AG Zoning District.

Section 23180: Concentrated Animal Feeding Operation (CAFO) and Concentrated Animal Operation (CAO)															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right															
Special Exception	P 1														
Conditional Use															
P = Principal Use				A = Accessory Use				1 = Special Lot Size and Setback Requirements							

B. The chart contained under Section 23180.A of this Zoning Ordinance has been provided as a general reference guide. Section 23180 as well as the underlying zoning district provides specific regulations for a CAFO and CAO.

C. Terminology: The term "concentrated animal feeding operation" may also be referred to as "CAFO" and the tern "concentrated animal operation" may be refereed to as "CAO".

D. Area and Utility Requirements: The following general provisions shall apply to a CAFO and CAO:

1. The minimum land area for a CAFO or CAO shall be ten (10) acres.

2. The CAFO or CAO shall be serviced by public or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. The CAFO or CAO shall be serviced by public or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. All other utility provisions serving concentrated animal feeding operation (CAFO) shall be planned and installed in accordance with the specifications of the public utility provider supplying service.

5. Unless otherwise specified by this Zoning Ordinance, a CAFO or CAO shall comply with all other pertinent area, bulk and height requirements of the zoning district in which the CAFO or CAO is located.

E. Setback Requirements: The following specific setback requirements shall apply to a CAFO or CAO:

1. The building or structures utilized as part of the CAFO or CAO shall be located at least five hundred (500) feet from all street rights-of-way and property lines.

2. All external storage areas or open areas utilized as part of the CAFO or CAO shall be located at least three hundred (300) feet from all street rights-of-way and property lines.

3. All buildings, structures, external storage areas and/or open areas utilized as part of the CAFO or CAO shall be located at least two hundred (200) feet from any land or water areas considered to be floodplains, perennial streams, intermittent streams, surface waters, wetlands, water supply wells and slopes exceeding twenty-five (25) percent in grade.

4. All buildings, structures, external storage areas and/or open areas utilized as part of the CAFO or CAO shall be located at least five hundred (500) feet from a residential dwelling, except for the residential dwelling on the property on which the CAFO or CAO is located.

5. All buildings, structures, external storage areas and/or open areas utilized as part of the CAFO or CAO shall be located at least two hundred (200) feet from a residential dwelling located on the same property.

6. All other building and/or structures that are not utilized for the CAFO or CAO shall comply with the setback requirements of the zoning district on which the concentrated animal feeding operation (CAFO) is located.

F. Manure Storage: A manure storage facility may be permitted as an accessory use to a CAFO or CAO, subject to the following requirements:

1. The manure storage facility shall be designed in compliance with the guidelines outlined within the publication Manure Management for Environmental Protection, Bureau of Water Quality Management, Publication 43, as may be amended by the Pennsylvania Department of Environmental Protection.

2. Designs for any manure storage facility shall be reviewed by the Lancaster County Conservation District. The landowner or applicant shall furnish a letter from the Lancaster County Conservation District attesting to approval of the design of the proposed facility.

3. Construction and subsequent operation of the manure storage facility shall be in compliance with the provisions of the zoning permit and the approved design. East Lampeter Township must be notified the day construction begins for proper supervision and construction. Any design changes during construction or subsequent operation will require the applicant to obtain a revised zoning permit and a revised approval letter from the Lancaster County Conservation District.

4. Manure storage facility shall not be located within five hundred (500) feet of any building being utilized for human habitation as of the effective date of this Zoning Ordinance and not within three hundred (300) feet of any property or street right-of-way lines. However, this limitation shall not be deemed to prevent the location of the manure storage facility within five hundred (500) feet from any building used for human habitation on the property of the landowner.

G. Nutrient Management: A CAFO or CAO may be required to prepare and submit a Nutrient Management Plan to the appropriate county and state agencies. All CAFO or CAO uses shall comply with the Pennsylvania Nutrient Management Act of 1993, as amended.

H. Conservation Management: Any CAFO or CAO uses that involve earth moving activities shall provide proof of the obtainment of an approved conservation plan, where required by the Lancaster County Conservation District, pursuant to Chapter 102, Erosion Control, of Title 25, Rules and Regulations, Pennsylvania Department of Environmental Protection. All on-site activities shall be in compliance with the approved conservation plan.

I. Site Plan: A scaled drawing showing the property occupied by the CAFO or CAO and the adjacent properties shall be prepared and submitted to East Lampeter Township. The site plan shall accurately depict the locations of property lines, buildings, structures, occupied areas, fences, surface waters, floodplains, wetlands, water supply wells and other topographical features. If required by East Lampeter Township, a complete land development plan shall be submitted for municipal review and consideration.

J. Additional Requirements: The following provisions shall also apply to a CAFO or CAO:

1. The CAFO or CAO shall comply with all local, state and federal laws concerning manure management, nutrient management, fertilizer applications, bio-solid or sludge applications, water supply, stormwater management, erosion and sedimentation control, and sanitary sewage disposal.

2. Applicants for any a new CAFO or CAO as well as all expansions to an existing CAFO or CAO shall be considered a new use and must reapply and meet all the requirements set forth in this Zoning Ordinance and must demonstrate compliance with all State and Federal regulations governing the specific operation.

3. Whenever a condemned animal, animal product or other condemned property is slaughtered or destroyed by order of the Pennsylvania Department of Agriculture (PDA) to eradicate or prevent the spread of dangerous transmissible disease or contamination by a hazardous substance, the date and action taken will be noted.

4. The handling of dead animals, birds and livestock shall meet all the requirements and regulations for a livestock operation as described by the Pennsylvania Department of Agriculture (PDA).

5. The CAFO or CAO shall comply with the provisions for general agricultural activities, which are further specified under Section 23030 (Agricultural Operations) of this Zoning Ordinance.

6. The areas utilized for the CAFO or CAO shall be properly graded to prevent any runoff or discharge onto an adjacent property, public road and/or surface water.

K. Records: The landowner, applicant or licensee of the concentrated animal feeding operation shall specify and record the common and scientific name of the birds and animals as well as the number of birds and animals to be covered by the license. The landowner, applicant or licensee shall maintain records of any acquisitions and disposals of birds and animals as well as birds and animals born that have been slaughtered on the premises. The records shall be in ink, written in english and shall include the full name and address of the person with whom a transaction is conducted. Records shall be kept and maintained in accordance with the provisions specified by the PA Department of Agriculture.

L. Regulatory Conflicts: If there is a conflict between the provisions specified for a CAFO or CAO and any other provisions adopted by East Lampeter Township or the Commonwealth of Pennsylvania, the more restrictive provision shall apply to the CAFO or CAO.

Section 23190: Contractor Storage Yard

A. Contractor storage yard, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted as a principal use by right within the C-1, C-2, I-1, I-2 and BP Zoning Districts.

Section 23190: Contractor Storage Yard															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right					P	P		P	P	P					
Special Exception															
Conditional Use															
P = Principal Use				A = Accessory Use											

B. The chart contained under Section 23190.A of this Zoning Ordinance has been provided as a general reference guide. Section 23190 and the provisions of the underlying zoning district shall apply to contractor storage yard.

C. Permitted Uses: The following provisions apply to the permitted uses contained within a contractor storage yard:

1. The principal use shall be the contractor storage yard.

2. An accessory office building shall be permitted within the lot occupied by the contractor storage yard. The accessory office building may be utilized for administrative offices, meeting rooms, restroom facilities, common areas and similar accessory features that are designed exclusively for the use of the site managers, operators and/or tenants of the contractor storage yard.

3. Storage facilities and buildings shall be used solely for the storage of vehicles, equipment, tools, machinery, building materials, stone, soil, fuel and/or similar items that relate to the normal operations of a contractor for off-site construction or improvement projects.

4. On-site assemblage and disassembling of equipment shall be permitted within the I-1, I-2 and BP Zoning Districts. All such activities shall be prohibited within the C-1 and C-2 Zoning Districts unless it is related to the pick-up and/or drop-off of equipment. .

5. On-site construction, fabrication, manufacturing and/or similar activities shall be prohibited.

6. Retail sales shall be prohibited as part of the contractor storage yard use.

D. General Requirements: The following general requirements shall be required for contractor storage yard:

1. The contractor storage yard shall be serviced by public or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The contractor storage yard shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans adopted by East Lampeter Township.

3. All other utility provisions serving the contractor storage yard shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services shall be installed underground.

4. All lubricants, fuel and/or petroleum products shall be contained within a permitted building, structure and/or containment facility that complies with local, state and federal laws.

5. The storage of any permitted equipment and materials outside of a building shall not be located within the front yard. The perimeter around such equipment and materials shall be contained within a fenced-in yard area with a minimum height of six (6) feet.

6. The landowner shall provide East Lampeter Township and the emergency service responders (police, fire and ambulance) with a list of materials, chemical and/or substances that are typically stored or maintained on the property that could be considered hazardous or dangerous to the emergency service responders.

Section 23200: Convenience Store

A. Convenience stores, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. Convenience stores shall be permitted by right within the C-2, C-3 and BP Zoning Districts.

2. Convenience stores shall be permitted by special exception within the C-1 Zoning District.

Section 23200: Convenience Store															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right						P 1, 2, 3	P 1, 2, 3			P 1, 2, 3					
Special Exception					P 1, 2, 3										
Conditional Use															

P = Principal Use	A = Accessory Use	1 = Special Lot Size and Design Requirements
2 = Special Building Size Requirements		3 = Special Vehicular Access Requirements

B. The chart contained under Section 23200.A of this Zoning Ordinance has been provided as a general reference guide. 23200 and the underlying zoning district shall apply to convenience stores.

C. Utility Provisions: The following utility provisions shall apply to a convention center:

1. The convenience store shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The convenience store shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the convenience store shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

D. Setback, Coverage and Height Requirements: The following provisions shall apply to convenience stores:

1. Unless otherwise specified, all external structures, including the fuel dispensing islands, canopy covering the fuel islands, outdoor storage areas and/or display items (other than the permitted signs) shall comply with the setback, coverage and height requirements of the zoning district on which the building is located.

2. The convenience store shall contain a principal building that complies with the following requirements:

a. The principal building shall have a maximum gross floor area of not more than five thousand (5,000) square feet for a convenience store located within the C-1, C-2 and C-3 Zoning Districts.

b. The principal building shall have a maximum gross floor of not more than seven thousand five hundred (7,500) square feet for a convenience store located within the BP Zoning District.

c. The area of the principal building shall not include any areas designated as an accessory use and/or as part of the gasoline pumps including the canopy and fuel service lanes.

3. The canopy covering the fuel pumps shall not exceed the following provisions:

a. The canopy shall not exceed a coverage area of six thousand (6,000) square feet for a convenience store located within the C-1, C-2 and C-3 Zoning Districts.

b. The canopy shall not exceed a coverage area of seven thousand (7,000) square feet for a convenience store located within the BP Zoning District.

c. The canopy shall not exceed a height of twenty-five (25) feet. East Lampeter Township may permit a greater canopy height up to thirty (30) feet if the design of the canopy is considered as an architectural or visual enhancement.

d. The canopy shall not be located within ten (10) feet of the street right-of-way line and shall comply with the minimum side and rear yard setback requirements for the zoning district on which the canopy is located.

E. Use Limitations and Restrictions: Unless otherwise permitted by East Lampeter Township, the following use limitations and restrictions shall apply to convenience stores:

1. Retail sales of food, groceries, beverages, household products, automobile fuels and accessories, newspapers, magazines, periodicals, and other similar items may be sold within a convenience store.

2. The sale of gasoline, diesel fuel, kerosene and/or other petroleum products shall be permitted as an accessory use for a convenience store. The maximum number of fueling pumps (one pump shall serve a maximum of two fueling positions only) shall be permitted based upon the size of the building housing the convenience store, which shall be specified as follows:

Convenience Store Gross Floor Area	Maximum Number of Fuel Pumps	Maximum Number of Fueling Positions
3,000 square feet or less	4	8
3,001 square feet to 4,000 square feet	5	10
4,001 square feet to 5,000 square feet	6	12
5,001 square feet to 7,500 square feet Provision shall only apply to the BP Zoning District	14	28

3. The number of charging stations for fuel shall be identified on the land development plan and shall not be included as part of the fuel pumping stations specified under Section 23200.E.2 of this Zoning Ordinance.

4. Automobile repair stations shall not be permitted as a principal use or commercial option for a convenience store.

5. Indoor and outdoor seating for the consumption of food and beverages shall be permitted as an accessory component of the convenience store.

6. Car wash facilities shall be permitted as an accessory use in accordance with the provisions specified under Section 23150 of this Zoning Ordinance.

7. A drive-up or drive-through service lane shall only be permitted as part of a convenience store.

8. The on-site demolishing or dismantling of vehicles for salvage or parts shall be prohibited.

F. General Requirements: The following general standards shall be required for a convenience store:

1. All merchandise or retail items sold on the premises shall not be located within the street right-of-way and areas designated as vehicular driveways or access lanes. All such areas may be located adjacent to the building provided that the storage of any merchandise does not interfere with the permitted retail sales use and that a five (5) foot minimum width is provided to accommodate pedestrian circulation.

2. All transactions shall be conducted within the convenience store or at automated fuel pumps.

3. All permitted materials that are stored outdoors shall be located at least ten (10) feet from the street right-of-way and no closer than ten (10) feet to any property line.

4. The parking or staging of vehicles within the automobile service lanes, drive through-service lanes or any queuing positions shall not be calculated or considered as part of the off-street parking area.

5. The use and related activities shall not emit noise, glare, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat and/or other perceptible or objectionable nuisances that would impact neighboring properties, or be noticeable at or beyond the property line

6. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

Section 23210: Convention Center

A. Convention center, as defined under Section 2020 of this Zoning Ordinance, shall be permitted by conditional use within the C-3 and BP Zoning Districts.

Section 23210: Convention Center															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right															
Special Exception															
Conditional Use							P 1			P 1					
P = Principal Use			A = Accessory Use				1 = Special Lot Size and Design Requirements								

B. The chart contained under Section 23210.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23210 and the underlying zoning district provides specific regulations for convention centers.

C. Permitted Uses: The following principal and accessory uses shall be permitted within a convention center:

1. The principal use shall be the convention center.

2. Subordinate or accessory uses within a convention center shall be limited to: conference centers; exhibition or exposition facilities; hotels; recreation uses; entertainment uses; administrative offices; meeting rooms; reception halls; sports arenas and events; child care facilities; restaurants, concession stands; cafeterias; financial institutions; and/or other similar uses. The cumulative gross floor area or occupied space area for all such accessory uses shall not occupy more than thirty (30) percent of the cumulative gross floor area or occupied space area of all uses within the convention center. The accessory uses shall be considered subordinate uses that directly benefit the convention center.

3. The permitted uses described within Section 23210.C.1 and 23200.C.2 of this Zoning Ordinance may be permitted outside of the convention center provided that such uses comply with the setback requirements specified under Section 23210.E of this Zoning Ordinance and provided that there are no conflicts with the requirements for traffic control as specified under Section 23210.F of this Zoning Ordinance.

4. All permitted uses described within Sections 23200.C.1 and 23200.C.2 of this Zoning Ordinance shall be harmoniously planned and integrated as part of the conference center.

D. Area and Utility Requirements: The following general provisions shall apply to convention centers:

1. Convention centers shall contain a minimum of ten (10) acres of land area.

2. Convention centers shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. Convention centers shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. All other utility provisions serving convention center shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

E. Setback, Coverage and Height Requirements: The following specific setback, coverage and height requirements shall apply to convention centers:

1. All principal uses, buildings and/or structures shall be located at least one hundred (100) feet from any street right-of-way line and property line.

2. All accessory uses, buildings and/or structures shall be located at least fifty (50) feet from any street right-of-way line or property line.

3. No more than fifty (50) percent of the lot shall be covered by buildings.

4. No more than seventy (70) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving,

5. The maximum height of any building or structure shall be fifty (50) feet, as measured from the average ground elevation to the highest point of the building or structure.

6. All other uses and site improvements shall comply with the bulk and height requirements, which are further specified by the appropriate zoning district to which the convention center is located.

F. Traffic Control: The following provisions shall apply to vehicular accessibility, parking, loading and other traffic control requirements for a convention center:

1. The primary points of ingress and egress to the conference or convention center shall be along a collector or arterial street.

2. The requirements for off-street parking will be determined based upon a combination of permitted uses contained within the convention center and the compliance chart specified under Sections 22150 and 22160 of this Zoning Ordinance. As part of the conditional use application, East Lampeter Township may permit overflow parking on designated lawn areas in accordance with the following criteria:

a. The overflow parking area shall only be utilized in order to accommodate the parking demand during peak events or for the combination of events at the convention center.

b. The overflow parking area shall be accessible only from the interior driveways or access lanes for the parking facility, which shall be located, designed and fenced to prevent motor vehicles from crossing adjoining properties or directly accessing public roads.

c. Soil erosion, sedimentation control, and stormwater runoff shall be managed in accordance with all applicable laws and regulations.

d. If East Lampeter Township determines that traffic congestion is occurring along adjoining roads, and that the traffic congestion is directly related to the size or design of the overflow parking area, East Lampeter Township shall require the landowner, manager or applicant to revise and re-design off-street parking facilities in order to resolve the traffic congestion problem and/or provide additional on-site parking spaces to accommodate the parking demand during peak events or for the combination of events at the convention center.

3. Any booths or other structures utilized for the collection of admission and/or parking fees shall be setback and arranged to prevent vehicle back-ups on adjoining roads during peak arrival periods. Any other collection of fees, such as by roaming parking lot attendants, shall be conducted in such a manner as to prevent vehicle backups on adjoining roads. The landowner and operator of the convention center shall be responsible to resolve, mitigate and/or correct any traffic congestion problems that occur on public roads, which are related to the points of ingress and egress to the convention center.

Section 23220: Day Care Facility as a Commercial Use

A. Day care facility as a commercial use, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. Day care facilities as a principal commercial use shall be permitted by right within the C-1, C-2, BP, MU, BH, VG and VC Zoning Districts.

2. Day care facilities as an accessory commercial use shall be permitted by right in the AG, I-1, I-2 and BP Zoning Districts.

3. Other permitted uses may contain private on non-commercial day care facilities as an accessory use provided that the day care use is specified as a land use option for the permitted principal use.

Section 23220: Day Care Facility as a Commercial Use															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right	A 1				P 1	P 1		A 1	A 1	P, A 1	P 1	P 1	P 1	P 1	
Special Exception															
Conditional Use															
P = Principal Use				A = Accessory Use				1 = Special Land Use Requirements							

B. The chart contained under Section 23220.A of this Zoning Ordinance has been provided as a general reference guide. Section 23220 and the underlying zoning district provide specific regulations for day care facility.

C. Use Limitations and Restrictions: Unless otherwise permitted by East Lampeter Township, the following use limitations and restrictions shall apply to a day care facilities:

1. A day care facility as a commercial use for children or adults shall comply with all specifications, standards and licenses, which are required by East Lampeter Township, Pennsylvania Department of Public Welfare and/or other agencies having jurisdiction.

2. A day care that provides care and supervision to four (4) persons or less, who are unrelated to the operator, may be permitted as a home occupation within a single-family dwelling, provided that the use complies with the provisions specified under Section 23370 of this Zoning Ordinance.

D. General Requirements: The following general requirements shall apply to a day care facility:

1. The day care facility shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The day care facility shall be serviced by public water supply facilities (where available), which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving day care facility shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

4. All day care facilities with an enrollment of more than three (3) persons shall furnish a valid registration certificate, certificate of compliance, certificate of registration and/or license for the proposed use, as issued by the Commonwealth of Pennsylvania and other agencies that may have jurisdiction.

5. The internal facilities should be of adequate size to accommodate all of the children receiving day care services plus the occupants of the principal or secondary use. Common areas and facilities should be designated within the approved facility.

6. The day care facility shall be designed with an outdoor recreation area that shall comply with the Commonwealth of Pennsylvania and other agencies that may have jurisdiction.

7. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

8. A designated off-street pick-up area and drop-off area shall be provided at the day care facility, which shall be designed so that passengers do not have to cross traffic lanes within or adjacent to the site. The off-street pick-up area and drop-off area shall be capable of providing two (2) parking spaces, which shall be conspicuously identified by signs and pavement markings. An alternative design may be permitted provided that sufficient vehicular and pedestrian access can be achieved at the pick-up area and drop-off area.

9. The pick-up area and drop-off area shall be designed with sufficient on-site stacking or queuing lanes in order to prevent the traffic congestion and/or the back-ups onto adjoining roads or adjacent properties.

Section 23230: Dry Cleaner and/or Laundromat

A. A dry cleaner and/or a laundromat, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted as a principal use by right within the C-1, BP, MU, VG and VC Zoning Districts.

Section 23230: Dry Cleaner and/or Laundromat															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right					P					P	P		P	P	
Special Exception															
Conditional Use															
P = Principal Use				A = Accessory Use											

B. The chart contained under Section 23230.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23230 and the provisions of the underlying zoning district shall apply to a dry cleaner and/or laundromat.

C. General Requirements: The following general requirements shall apply to a dry cleaner and/or laundromat use:

1. The dry cleaner and/or laundromat shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The dry cleaner and/or laundromat shall be serviced by public water supply facilities (where available), which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the dry cleaner and/or laundromat shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

4. All permitted activities and transactions shall be conducted within a completely enclosed building.

5. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

Section 23240: ECHO Housing as an Accessory Use to a Permitted Single-Family Detached Dwelling

A. ECHO housing, as defined under Section 2020 if this Zoning District, shall be permitted as an accessory use to a permitted single-family detached dwelling within the AG, R-1, R-2, R-3, MU, BH, VG, VC and VR Zoning Districts.

Section 23240: ECHO Housing as an Accessory Use to a Permitted Single-Family Detached Dwelling															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right	A 1	A 1	A 1	A 1							A 1	A 1	A 1	A 1	A 1
Special Exception															
Conditional Use															
P = Principal Use			A = Accessory Use				1 = Special Building and Design Requirements								

B. The chart contained under Section 23240.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23240 and the underlying zoning district shall apply to ECHO housing.

C. Permitted Uses: The building occupying the single-family detached dwelling and the ECHO housing unit shall comply with the following provisions:

1. The single-family detached dwelling shall be considered as the principal use.

2. No more than one (1) ECHO housing unit shall be located on a conforming lot occupied by a single-family detached dwelling.

3. The ECHO housing unit may be occupied as temporary dwelling by either an elderly, handicapped or disabled person, who is related by blood, marriage, or adoption, to the landowners and occupants of the principal use or single-family detached dwelling. The ECHO housing unit may also be occupied by the caregiver to the person residing within the principal use or single-family detached dwelling.

D. Area and Utility Requirements: The following general provisions shall apply to the ECHO housing unit as an accessory use to a permitted single-family detached dwelling:

1. The single-family detached dwelling and the ECHO housing unit shall be located on a conforming lot that complies with the land area and setback requirements of the zoning district on which the single-family detached dwelling is located.

2. The principal and accessory use shall be serviced by public or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township. The applicant shall demonstrate that the sanitary sewage facilities have sufficient capacities to accommodate the principal and accessory use.

3. The principal and accessory use shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township. The applicant shall demonstrate that the water supply facilities have sufficient capacities to accommodate the principal and accessory use.

4. All other utility provisions serving the principal and accessory use shall be planned and installed in accordance with the specifications of the public utility provider supplying service.

5. Unless otherwise required by East Lampeter Township, the principal and accessory use shall not be required to have separate utility connections for sanitary sewage disposal, water supply, electric, telephone, natural gas and cable services.

6. The applicant shall provide documentation that all plumbing, heating, electrical, sanitary sewage disposal, water supply, storm sewer, and similar facilities comply with all applicable ordinances, regulations and laws specified by East Lampeter Township and the Commonwealth of Pennsylvania

E. General Requirements: The following general requirements shall apply for the permitted single-family detached dwelling and the ECHO housing unit:

1. In order to permit an ECHO housing unit, the landowner and occupants must execute an agreement with East Lampeter Township, which states that the ECHO housing unit will be occupied solely by persons who meet the qualifications and criteria specified under Section 23240 of this Zoning Ordinance. The agreement shall stipulate: the permit requirements; the criteria for use and occupancy; the tenure or term limits of the occupancy permit; the utility provisions; and the termination of the permit; and the removal requirement of the ECHO housing unit.

2. The ECHO housing unit shall not have a gross floor area in excess of two thousand (2,000) square feet, including any enclosed garage and basement area.

3. Unless otherwise approved by East Lampeter Township, the ECHO housing unit shall not be occupied by more that one (1) family.

4. Unless otherwise permitted by East Lampeter Township as part of a stipulation agreement, the ECHO housing unit shall be removed, as stipulated by the permit and/or agreement. The landowner shall be responsible for the removal of the ECHO housing unit.

Section 23250: Emergency Service Facility

A. Emergency service facility, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1 An emergency service facility shall be permitted as a principal use by right within the C-1, C-2, C-3, I-1, I-2, BP, MU and VC Zoning Districts.

2 An emergency service facility shall be permitted as a principal use by special exception within the R-2, R-3, BH, VG and VR Zoning Districts.

Section 23250: Emergency Service Facility															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right					P	P	P	P	P	P	P			P	
Special Exception			P	P								P	P		P
Conditional Use															
P = Principal Use				A = Accessory Use											

B. The chart contained under Section 23250.A of this Zoning Ordinance has been provided as a general reference guide. Section 23250 and the underlying zoning district provide specific regulations for emergency service facilities.

C. Permitted Uses: The following principal and accessory uses shall be permitted within a emergency service facility:

1. The permitted principal use shall be the emergency service facility.

2. Subordinate or accessory uses within a building occupied by the emergency service facility shall be limited to: administrative offices; training facilities; recreation uses; meeting rooms; banquet facilities; social hall; catering use; bakery or confectioner; child care facilities; and/or other similar uses. The cumulative gross floor area or occupied space area for all such accessory uses shall not occupy more than thirty (30) percent of the cumulative gross floor area or occupied space area of all uses within the emergency service facility. The accessory uses shall be considered subordinate uses that directly benefit the principal uses within the emergency service facility.

3. The uses described within Section 23250.C.1 and 23250.C.2 of this Zoning Ordinance may be permitted outside of the emergency service facility provided that such uses comply with the setback requirements specified under Section 23240.E of this Zoning Ordinance and provided that there are no conflicts with the requirements for traffic control as specified under Section 23240.F of this Zoning Ordinance.

D. General Requirements: The following general requirements shall apply to emergency service facilities:

1. The use shall be serviced by public sanitary sewer facilities (where available), which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The use shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving emergency service facility shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services shall be installed underground.

4. The requirements for off-street parking will be determined based upon a combination of permitted uses contained within the emergency service facility and the compliance chart specified under Section 22160.E of this Zoning Ordinance. East Lampeter Township may permit overflow parking on designated lawn areas in accordance with the following criteria:

   a. The overflow parking area shall only be utilized in order to accommodate the parking demand during peak events or for the combination of events at the emergency service facility.

   b. The overflow parking area shall be accessible only from the interior driveways or access lanes for the parking facility, which shall be located, designed and fenced to prevent motor vehicles from crossing adjoining properties or directly accessing public roads.

   c. Soil erosion, sedimentation control, and stormwater runoff shall be managed in accordance with all applicable laws and regulations.

Section 23260: Farm-Support Business Use

A. Farm-support business use, as defined under Section 2020 of this Zoning Ordinance shall be permitted as follows:

1. Farm-support business uses, as an accessory use shall be permitted by right within the AG and BP Zoning Districts.

2. Farm-support business uses, as an accessory use shall be permitted by special exception within the R-1, R-2, R-3, C-1, C-2, C-3, I-1, I-2, MU, BH, VG, VC and VR Zoning Districts.

Section 23260: Farm-Support Business Use															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right	A 1									A 1					
Special Exception		A 1	A 1	A 1	A 1	A 1	A 1	A 1	A 1		A 1	A 1	A 1	A 1	A 1
Conditional Use															
P = Principal Use				A = Accessory Use				1 = Special Lot and Building Requirements							

B. The chart contained under Sections 23260.A and 23260.B of this Zoning Ordinance has been provided as a general reference guide. Section 23260 and the underlying zoning districts provide regulations for a farm-support business use.

C. Permitted Uses: The following provisions shall apply to the farm-support business use:

1. The principal use of the subject property shall be designated as an agriculture operation.

2. A farm-support business use, as an accessory use to an agricultural operation, may include: the repair of agricultural equipment and/or small machinery; welding; painting service; fencing service; sharpening service; livestock grooming; shearing and/or trimming services; agricultural consulting service; the retail sale or repair of small tools, parts and/or specialized small agricultural equipment; family-scale food processing, including preparation, canning, and baking; small feed or fertilizer franchises or family dealerships; butcher shops; cold storage; limited warehousing of food and prepared agricultural products in existing agricultural buildings, existing as of date this ordinance is adopted; craft shops, including woodworking, cabinetry, metal-working, leatherwork, harness shops blacksmithing, carriage shops, tool making, quilts, and other similar supplemental income opportunities that can be conducted on the farm.

3. Unless otherwise permitted by East Lampeter Township, a farm-support business use shall not include commercial or industrial uses such as: feed, fertilizer, and grain mills; the sale and/or servicing of large agricultural equipment; mechanized canneries; rendering plants; manufacturing; and/or any other use that generates excessive traffic, noise, glare, or noxious impacts.

4. All accessory or subordinate uses that are considered as a home occupation shall comply with the provisions under Section 23370 of this Zoning Ordinance.

D. Area and Utility Requirements: The following general provisions shall apply to the farm-support business use:

1. Farm-support business uses may be permitted as an accessory use to an agricultural operation, provided that the agricultural operation contains a minimum of ten (10) acres of land area as part of a farm that existing at the enactment date of this Zoning Ordinance.

2. Structures and lands (such as parking and outdoor storage areas) used exclusively by the farm-support business use shall occupy a total area of less than one (1) acre of land area.

3. The agricultural operations shall be serviced by public or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

4. The agricultural operations shall be serviced by public or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

5. All other utility provisions serving agricultural operations shall be planned and installed in accordance with the specifications of the public utility provider supplying service.

6. Unless otherwise specified under Sections 23020 and 23260 of this Zoning Ordinance, agricultural operations shall comply with all other pertinent area, bulk and height requirements of the zoning district in which the agricultural operation is located.

E. General Requirements: The following general provisions shall also apply to farm-support business use:

1. The farm-support business use shall be conducted in such a way that the property retains the visual character of a farm.

2. Only one (1) farm-support business use shall be permitted per farm For the purposes of this section, a “farm” consists of an area of land employed by a farmer as a single economic agricultural enterprise, regardless of the number of contiguous parcels, plots, or tracts comprising such an enterprise.

3. Outdoor storage of materials associated with the farm-support business use shall be permitted only within a completely fenced and screened area that shall not be visible from any residential lot. Outdoor storage is prohibited between any building and the street right-of-way line.

4. The landowner of an farm-support business use shall be responsible for providing sufficient access and off-street parking for vehicles associated with the operation (including delivery vehicles and customer vehicles) such that will not present a hazard to or obstruction of public roads, nor will they track mud or manure upon such public roads.

5. The land area of the farm-support use operation shall not be subdivided from the farm property.

6. Structures or portions of structures for the exclusive use of the farm-support business use shall not exceed four thousand (4,000) square feet of gross floor area, unless housed in a structure that existed as of the adoption date of this Zoning Ordinance.

7. The farm-support business use shall be owned and operated by the resident farmer living on the property and with the knowledge and approval of the owner of the property, if they are not the same person. Employees of the farm-support business use shall be limited to the landowner and not more than five (5) employees may be non-residents of the farm.

8. The owner of a farm-support business use must obtain a zoning permit for such operation prior to commencement of the farm-support business.

9. When there is a change in the ownership of the farm, the continuation of the farm-support limited impact business operation shall be subject to review by the Zoning Officer, and if the use of the same character, the Zoning Officer will issue a zoning permit

10. All farm-related business uses shall comply with all local, state and federal laws concerning manure management, nutrient management, fertilizer applications, bio-solid or sludge applications, water supply, stormwater management, erosion and sedimentation control, and sanitary sewage disposal.

Section 23270: Farmers Market

A. Farmers markets, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted as a principal use by special exception within the C-2, BH, VG and VC Zoning Districts.

Section 23270: Farmers Market															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right															
Special Exception						P 1						P 1	P 1	P 1	
Conditional Use															
P = Principal Use			A = Accessory Use				1 = Special Building and Design Requirements								

B. The chart contained under Section 23270.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23270 and the underlying zoning district shall apply to farmers markets.

C. Setback, Coverage and Height Requirements: The following provisions shall apply to farmers markets:

1. The retail sales area shall be defined as the area of the smallest rectangle or other regular geometric shape that encompasses all display stands, booths, tables and/or stalls, plus all adjoining aisles and walkways from which customers may inspect and purchase items for sale. The retail sales area shall include all permitted indoor and outdoor areas as described under this section of the Zoning Ordinance.

2. The retail sales area of the farmers market shall contain a maximum gross floor area of not more than forty thousand (40,000) square feet.

3. All materials that are stored outdoors shall be located at least fifty (50) feet from the street right-of-way and no closer than fifty (50) feet to any property line. All such activities shall also comply with the provisions specified by this Zoning Ordinance.

D. General Requirements: The following general standards shall be required for a farmers market:

1. The farmers market shall be serviced by public sanitary sewer facilities (where available), which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The farmers market shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans adopted by East Lampeter Township.

3. All other utility provisions serving the farmers market shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

4. Retail sales of food, groceries, beverages, household products, agricultural related products, newspapers, magazines, periodicals, and other similar items may be sold within the defined retail sales area.

5. Concession stands, cafeterias and/or dinning areas designated to consume food and beverages sold within the farmers market may be permitted as an accessory or subordinate use provided that the gross floor area of such uses does not exceed thirty (30) percent of the total gross floor area of the farmers market.

6. The sale of gasoline, diesel fuel, kerosene and/or other petroleum products shall be prohibited.

7. Shopping cart storage areas shall be located and designed to comply with the provisions of Section 22220 of this Zoning Ordinance.

8. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

Section 23280: Financial Institution

A. Financial institution, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as a principal use by right within the C-1, C-2, BP, BH, VG and VC Zoning Districts. :

Section 23280: Financial Institution															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right					P 1, 3	P 1, 3				P 1, 3		P 1, 3	P 1, 3	P 1, 3	
Special Exception															
Conditional Use															
P = Principal Use				A = Accessory Use				1 = Special Lot Size Requirements							
2 = Special Building Size Requirements								3 = Special Vehicular Access Requirements							

B. The chart contained under Section 23280.A of this Zoning Ordinance has been provided as a general reference guide. Section 23280 and the underlying zoning districts provide specific regulations for financial institutions.

C. General Requirements: The following general requirements shall apply to a financial institution:

1. Financial institution shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. Financial institution shall be serviced by public water supply facilities or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving financial institution shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

4. The following provisions shall apply to financial institutions and drive-through service lanes:

a. A financial institution located within the C-1, C-2, BH, VG and VC Zoning Districts shall be permitted to have no more than two (2) drive-through service lanes per use.

b. A financial institution located within the BP Zoning District shall be permitted to have no more than four (4) drive-through service lanes.

c. The area designated for drive-through service shall include a bypass lane.

5. The proposed pre-service or drive-through service lane shall be designed with sufficient on-site stacking or queuing lanes in order to prevent the traffic congestion and/or the back-ups onto adjoining roads or adjacent properties. Each permitted pre-service or drive-through service lane for the financial institution facility shall be at least ten (10) feet in width and sixty (60) feet in length.

6. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

Section 23290: Forestry

A. Forestry, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as a principal or accessory use by right within all zoning districts specified by this Zoning Ordinance.

Section 23290: Forestry															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right	P, A	P, A	P, A	P, A	P, A	P, A	P, A	P, A	P, A	P, A	P, A	P, A	P, A	P, A	P, A
Special Exception															
Conditional Use															
P = Principal Use				A = Accessory Use											

B. The chart contained under Section 23290.A of this Zoning Ordinance has been provided as a general reference guide. Section 23290 and the underlying zoning district provide specific regulations for forestry uses.

C. Intent: The intent of these regulations is to conserve forested open space and its environmental, economic, recreational, wildlife, and amenity values by promoting good forest stewardship; protecting the rights of adjoining property owners; and minimizing the potential for adverse environmental impacts.

D. Application: The regulations specified under this section shall apply to all timber harvesting within the municipality where the project area exceeds two (2) acres for clear cutting operations and five (5) acres for selective cutting operations. These provisions do not apply to the cutting of trees for the personal use of the landowner or for pre-commercial timber stand improvement. These provisions apply to privately and publicly owned property. These provisions apply to any site where the clearing of trees for any purpose, if lumber will be removed from the site.

E. Notification Requirements: The following notification requirements shall apply to for logging or timber harvesting:

1. For all timber harvesting operations with a project area exceeding two (2) acres for clear cutting operations and five (5) acres for selective cutting operations, the landowner shall notify East Lampeter Township at least fourteen (14) days prior to the commencement of the site activities and at least five (5) days before the operation is complete. No timber harvesting shall occur until the notice has been provided. Notification shall be in writing and shall specify the land on which harvesting will occur, the expected size of the harvest area, and, as applicable, the anticipated starting or completion date of the operation.

2. A logging or timber harvesting plan shall be prepared by a qualified professional. The provisions of the plan shall be followed throughout the logging or timber harvesting operation. The plan shall be available at the harvest site at all times during the operation. The plan shall incorporate Best Management Practices (BMP's) for forestry found in the publications "Best Management Practices for Pennsylvania Forests," "Best Management Practices for Silvicultural Activities in Pennsylvania's Forest Wetlands," and "Controlling Erosion and Sedimentation from Timber Harvesting Operations."

3. The landowner and the operator shall be jointly and severally responsible for complying with the terms of the logging plan.

F. Plan Requirements: The logging or timber harvesting plan shall contain the following:

1. The design, construction, maintenance, and retirement of the access system, including haul roads, skid roads, skid trails and landings.

2. The design, construction, and maintenance of water control measures and structures such as culverts, broad-based dips, filter strips, and water bars.

3. The design, construction, and maintenance of stream and wetland crossings.

4. A description of the general location of the proposed operation in relation to municipal and state highways, including any accesses to those highways.

5. A location map depicting the entire tract of land and specific areas of the logging or timber harvesting activities.

6. Significant topographic features related to potential environmental and ecological problems.

7. The location of all earth disturbance activities such as roads, landings, and water control measures.

8. The location of all perennial surface waters and wetland areas.

9. The location of local and state road highways, including all proposed access roads.

G. State Requirements: The logging plan shall address and comply with the requirements of all applicable state regulations including, but not limited to, the following:

1. Erosion and sedimentation control regulations contained in Title 25 Pennsylvania Code, Chapter 102, promulgated pursuant to The Clean Streams Law (35 P.S. Section 691.1, et seq.). An approved conservation plan or an erosion and sedimentation control plan shall be maintained on-site.

2. Stream crossing and wetlands protection regulations contained in Title 25 Pennsylvania Code, Chapter 105, promulgated pursuant to the Dam Safety and Encroachments Act (32 P.S. Section 693.1, et seq.).

3. Relationships of state laws, regulations, and permits to the logging plan.

4. Any permits required by state laws and regulations shall be attached to and become part of the logging plan. An erosion and sedimentation pollution control plan that satisfies the requirements of Title 25 Pennsylvania Code, Chapter 102, shall also satisfy the requirements for the logging plan and associated map, as specified under the provisions of this Zoning Ordinance, provided that all information required by these paragraphs are included or attached.

H. General Requirements: The following specific requirements shall apply to all timber harvesting operations:

1. Felling or skidding on or across any public thoroughfare is prohibited without the express written consent of the Township or the Pennsylvania Department of Transportation, whichever is responsible for maintenance of the affected thoroughfare.

2. No tops or slash shall be left within twenty-five (25) feet of any public thoroughfare or private roadway providing access to adjoining residential property.

3. All tops and slash between twenty-five (25) and fifty (50) feet from a public roadway or private roadway providing access to adjoining residential property or within fifty (50) feet of adjoining residential property shall be lopped to a maximum height of four (4) feet above the ground.

4. No tops or slash shall be left on or across the boundary of any property adjoining the operation without the consent of the owner thereof.

5. Litter resulting from a timber harvesting operation shall be removed from the site before it is vacated.

6. Skid trail, skid road, haul road, and landing area design shall be consistent with local and state guidelines.

7. Hours during which harvesting can occur are subject to approval of East Lampeter Township.

8. Landing and staging areas as well as haul and skid roads shall be restored and reseeded after the harvest is complete. Site access roads shall be closed to the general public.

I. Exterior storage areas for trash and rubbish shall comply with the provisions specified under Section 22240 (Solid Waste Disposal) of this Zoning Ordinance.

J. Public Roads: Pursuant to Title 75 of the Pennsylvania Consolidated Statutes, Chapter 49; and Title 67 Pennsylvania Code, Chapter 189, the landowner and the operator shall be responsible for repairing any damage to public roads caused by traffic associated with the timber harvesting operation to the extent the damage is in excess of that caused by normal traffic, and may be required to furnish a bond to guarantee the repair of such damages.

Section 23300: Funeral Home

A. Funeral home, as defined under Section 2020 of this Zoning Ordinance, shall be permitted by right within the C-1, MU, BH, VG and VC Zoning Districts.

Section 23300: Funeral Home															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right					P						P	P	P	P	
Special Exception															
Conditional Use															
P = Principal Use			A = Accessory Use												

B. The chart contained under Section 23300 of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23300 and underlying zoning district provides specific regulations for funeral home.

C. General Requirements: The following general requirements shall apply to funeral home:

1. Funeral home shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. Funeral home shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving funeral home shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services shall be installed underground.

4. All funeral homes shall comply with all pertinent state and federal laws involving the ownership, licensing, management and operation of a funeral home.

5. The use and related activities shall not emit noise, glare, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat and/or other perceptible or objectionable nuisances that would impact neighboring properties, or be noticeable at or beyond the property line.

6. The applicant shall furnish evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, noise, light, dust, smoke, litter and pollution.

7. The landowner shall provide East Lampeter Township and the emergency service responders (police, fire and ambulance) with a list of materials, chemical and/or substances that are typically stored or maintained on the property that could be considered hazardous or dangerous to the emergency service responders.

Section 23310: Garage, Commercial and Public

A. Garage, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. A garage that is classified as a "garage, commercial", "commercial garage", "garage, public" or "public garage" shall be permitted as a principal or accessory use by right within the C-3 and BP Zoning Districts.

2. A garage that is classified and defined as a "private garage" shall be permitted as an accessory use, subject to the requirements specified for the principal use and zoning district on which the principal use is located. The provisions specified under Section 23310 of this Zoning Ordinance shall not apply to a "private garage".

3. A "parking compound", as defined by this Zoning Ordinance shall be a principal use permitted by right within the BP Zoning District, subject to the provisions of Section 23310 of this Zoning Ordinance.

Section 23310: Garage, Commercial and Public															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right							P, A 1, 2			P, A 1,2,3					
Special Exception															
Conditional Use															
P = Principal Use				A = Accessory Use				1 = Special Lot and Building Size Requirements							
2 = Special Vehicular Access Requirements								3 = Parking Compound							

B. The chart contained under Section 23310.A of this Zoning Ordinance has been provided as a general reference guide. Section 23310 and the underlying zoning district provide specific regulations for a "garage, commercial and public".

C. Permitted Uses: The following principal and accessory uses may be contained within the garage:

1. The principal use shall be the garage facility including the driveways, access lanes, parking spaces and all structural components of the garage:

2. The accessory uses of the garage may include: administrative offices, maintenance facilities; storage facilities; security areas and facilities; work stations; toll booths, elevators; stairs; pedestrian crossing areas; vending machines, concession stands; snack bars; newsstands; government installations; and/or other similar areas. The total gross floor area for all permitted accessory uses shall not exceed twenty (20) percent of the total gross floor area of the garage.

D. Setback, Coverage and Height Requirements: The following provisions shall apply to a garage:

1. The minimum lot width for the garage shall be two hundred (200) feet.

2. All uses, buildings and/or structures associated with the garage shall be located at least thirty (30) feet from any street right-of-way line or property line.

3. No more than sixty (60) percent of the lot shall be covered by buildings and/or structures.

4. No more than eighty (80) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving,

5. Unless otherwise permitted, the maximum height of the garage shall be fifty (50) feet, as measured from the average ground elevation to the highest point of the building or structure.

6. All other uses and site improvements shall comply with the bulk and height requirements, which are further specified by the appropriate zoning district to which the garage is located.

E. General Requirements: The following general provisions shall also apply to a garage:

1. The garage shall be serviced by public sanitary sewer facilities (where available), which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The garage shall be serviced by public water supply facilities (where available), which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

4. Any booths or other structures utilized for the collection of admission and/or parking fees shall be setback and arranged to prevent vehicle back-ups on adjoining roads during peak arrival periods. Any other collection of fees, such as by roaming parking lot attendants, shall be conducted in such a manner as to prevent vehicle backups on adjoining roads.

5. The landowner and operator of the garage shall be responsible to resolve, mitigate and/or correct any traffic congestion problems that occur on public roads, which are related to ingress and egress to the garage.

6. The use and related activities shall not emit noise, glare, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat and/or other perceptible or objectionable nuisances that would impact neighboring properties, or be noticeable at or beyond the property line.

7. The applicant shall furnish evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, noise, light, dust, smoke, litter and pollution.

Section 23320: Golf Course

A. Golf course, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. A golf course shall be permitted as a principal use by right within the C-3 Zoning District.

2. A golf course shall be permitted as a principal use by special exception within the R-1 and R-2 Zoning Districts.

Section 23320: Golf Course															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right							P 1								
Special Exception		P 1	P 1												
Conditional Use															
P = Principal Use				A = Accessory Use				1 = Special Lot Size Requirements							

B. The chart contained under Section 23320.A of this Zoning Ordinance has been provided as a general reference guide. Section 23320 and the underlying zoning districts provide specific regulations for golf courses.

C. Permitted Uses: The following principal and accessory uses shall be as part of a golf course:

1. The principal use shall be the golf course.

2. Subordinate or accessory uses for a golf course shall be limited to: clubhouse; pro shop; administrative offices; restaurants, banquet facilities; social hall; storage buildings; maintenance buildings; driving range; practice chip and putting areas; private recreation uses; recreation health club; locker rooms; picnic pavilions; concession stands; retail center; child care facilities; and/or other similar accessory uses. The accessory uses shall be considered subordinate uses that directly benefit the principal use and patrons of the golf course.

3. Golf courses shall include a regulation public or private golf course

4. Golf courses shall include executive golf courses.

5. A golf driving range and a golf practice chip and putting area may be permitted as an accessory use.

6. All permitted principal and accessory golf related uses shall not include any illumination or exterior lighting for night-time use.

7. Miniature golf or putt-putt golf shall be considered as a commercial recreation use.

D. Area and Utility Requirements: The following general provisions shall apply to golf courses:

1. Golf courses shall be located on a lot containing a minimum of one hundred (100) acres.

2. Golf courses shall be serviced by public sanitary sewer facilities (where available), which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. Golf courses shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. All other utility provisions serving golf course shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

E. Setback, Coverage and Height Requirements: The golf course shall comply with the following setback, coverage and height requirements:

1. All buildings and/or structures utilized to occupy a principal use, as specified under Section 23310.C of this Zoning Ordinance shall be located at least one hundred (100) feet from any street right-of-way line or property line.

2. All buildings and/or structures utilized to occupy an accessory use, as specified under Section 23310.C of this Zoning Ordinance shall be located at least fifty (50) feet from any street right-of-way line or property line.

3. The golf course, including the cart paths, tee boxes, fairways, putting greens, sand traps, man-made water features, rough, and all other areas considered to be in-play shall be located at least twenty (20) feet from any street right-of-way line or property line.

4. The golf driving range, practice chipping areas and practice putting greens shall be located at least one hundred (100) feet from any street right-of-way line or property line.

5. All private recreation uses, restricted recreation uses, swimming pools, tennis courts, and other non-golf related recreation uses shall be located at least one hundred (100) feet from any street right-of-way line or property line.

6. All picnic pavilions and outdoor entertainment areas shall be located at least one hundred (100) feet from any street right-of-way line or property line.

7. All other principal or accessory uses that are not contained within a building or structure shall be located at least one hundred (100) feet from any street right-of-way line or property line.

8. No more than ten (10) percent of the lot shall be covered by buildings.

9. No more than twenty (20) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving,

10. The maximum height of any building or structure shall be fifty (50) feet, as measured from the average ground elevation to the highest point of the building or structure.

F. General Requirements: The following general requirements shall apply to golf courses:

1. The golf course shall be designed to consider the health, safety and general welfare of the golfers, patrons, adjacent property owners, and the occupants of vehicles driving along adjacent roads. The applicant shall identify how the potential adverse impacts will be mitigated and/or prevented.

2. The golf course shall be designed so that golf shots from the tee boxes and fairways will not need to cross a public road, building, parking lot, access drive and/or any permitted accessory use of the golf course.

3. Protective measures including security netting and fencing should be considered in areas to be potentially hazardous as a result of errant golf shots.

4. The cart paths and staging areas located at each tee box properly graded and improved as a dust-free and mud-free surface.

5. Clearly defined golf paths shall be provided for all crossings of streets, access drives, and driveways. Where permitted, the golf course crossings shall be designed to comply with the following requirements:

   a. Each crossing shall be perpendicular to the traffic movement of the street or driveway being crossed.

   b. Only one (1) street, access drive, or driveway may be crossed at each location.

   c. The crossing shall be provided with a clear-sight triangle of seventy-five (75) feet, as measured along the street, access drive, or driveway centerline and the golf path centerline, to a location on the centerline of the golf path, as measured ten (10) feet from the edge of the roadway. No permanent obstruction over three (3) feet high shall be placed within this area.

   d. Golf path intersections shall be designed to provide adequate sight distance with regard to both horizontal and vertical alignment.

   e. The golf cart path shall not exceed a slope of five (5) percent within twenty-five (25) feet of the cartway crossing.

   f. Golf path crossings shall have signs warning motorists, pedestrians, and golfers. The surface of the golf path crossing shall be brightly painted with angle stripes.

   g. Golf path crossings of collector and arterial roads shall include a tunnel below street grade or a bridge above street grade. At-grade golf path crossings of collector and arterial streets are prohibited. The construction of the tunnel or bridge shall comply with minimum requirements specified by East Lampeter Township and the Pennsylvania Department of Transportation.

6. Landscaping and buffering measures should be strategically integrated into the site plan.

Section 23330: Greenhouse as a Commercial Use

A. Greenhouse as a Commercial Use, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as a principal use by right within the AG, C-1, C-2, I-1, BH, VG and VC Zoning Districts.

Section 23330: Greenhouse as a Commercial Use															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right	P 1				P 1	P 1		P 1				P 1	P 1	P 1	
Special Exception															
Conditional Use															
P = Principal Use				A = Accessory Use				1 = Special Lot Size and Design Requirements							

B. The chart contained under Section 23330.A of this Zoning Ordinance has been provided as a general reference guide. Section 23330 and the underlying zoning district provide specific regulations for greenhouses.

C. Terminology: For the purposes of this Zoning Ordinance, the following terms are hereby clarified:

1. A "greenhouse as a commercial use" may also be referenced as "greenhouse, commercial" or as "commercial greenhouse".

2. A "greenhouse as a non-commercial use" may also be referenced as "greenhouse, non-commercial" or as "non-commercial greenhouse". All such uses shall be considered as an accessory structure to a permitted use in which no retail sales of the merchandise contained within the greenhouse is permitted.

D. General Requirements: The following provisions shall also apply to commercial greenhouse:

1. The commercial greenhouse shall be serviced by public or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The commercial greenhouse shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall comply with plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the home improvement and/or building supply store shall be planned and installed in accordance with the specifications of the public utility provider supplying service.

4. All buildings, structures, external storage areas and/or open areas utilized as part of the commercial greenhouse shall be located at least fifty (50) feet from any land or water areas considered to be floodplains, perennial streams, intermittent streams, surface waters, wetlands, water supply wells, and slopes exceeding twenty-five (25) percent in grade.

5. The commercial greenhouse shall comply with the maximum building coverage and lot coverage requirements specified by the zoning district on which it is located on.

6. The maximum height of any building or structure shall be fifty (50) feet, as measured from the average ground elevation to the highest point of the building or structure.

7. Commercial greenhouse shall comply with all local, state and federal laws concerning manure management, nutrient management, fertilizer applications, bio-solid or sludge applications, water supply, stormwater management, erosion and sedimentation control, and sanitary sewage disposal.

8. The display and sale of items not grown on the premises shall not exceed twenty-five (25) percent of the total display and retail sales area on the property.

Section 23340: Grocery Store

A. Grocery store, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. A grocery store shall be permitted as a principal use by right within the C-1, BP, MU, VG and VC Zoning Districts. The grocery store shall be located on a conforming lot, which shall not be occupied by other principal or accessory uses that would exceed the provisions specified by this Zoning Ordinance.

2. A grocery store shall be permitted as an accessory use by right within the C-2 Zoning District. The grocery store may be located on a conforming lot with other principal or accessory uses that could be planned and developed as a shopping center.

Section 23340: Grocery Store															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right					P 1	A 1				P 1	P 1	P 1			
Special Exception															
Conditional Use															
P = Principal Use				A = Accessory Use					1 = Special Design Standards and Limitation						

B. The chart contained under Section 23340.A of this Zoning Ordinance has been provided as a general reference guide. Section 23340 and the provisions of the underlying zoning district shall apply to grocery stores.

C. Area and Utility Provisions: The following lot area and utility provisions shall apply to a grocery store:

1. A grocery store that is to be developed as an accessory use as part of a retail center or shopping center use within the C-2 and C-3 Zoning Districts shall be located on a conforming lot occupied by the shopping center. The maximum gross floor area designated at the grocery store shall not exceed more that thirty (30) percent of the gross floor area of the building occupied by the retail center or shopping center use.

2. The grocery store shall comply with the following minimum and maximum gross floor area requirements:

   a. The grocery store shall be located on a conforming lot in the zoning district on which it is located.

   b. The gross floor area shall be a maximum of seventy thousand (70,000) square feet for a grocery store located within the C-1, MU, VG and VC Zoning Districts.

   c. The gross floor area shall be a maximum of one hundred forty thousand (140,000) square feet for a grocery store located within the BP Zoning District.

   d. A grocery store may be permitted as an accessory use within the C-2 Zoning District provided that the area designated for the sale of groceries does not occupy more than thirty (30) percent of the gross floor area of the building occupying the principal use.

   e. The gross floor area calculations shall exclude any area that is occupied by gasoline pump dispensers and the canopy over the dispensers.

3. The canopy covering the fuel pumps shall not exceed the following provisions:

   a. The canopy shall not exceed a coverage area of six thousand (6,000) square feet for a grocery store located within the C-1, C-2, C-3, MU, VG and VC Zoning Districts.

   b. The canopy shall not exceed a coverage area of seven thousand (7,000) square feet for a grocery store located within the BP Zoning District.

   c. The canopy shall not exceed a height of twenty-five (25) feet. East Lampeter Township may permit a greater canopy height up to thirty (30) feet if the design of the canopy is considered as an architectural or visual enhancement.

   d. The canopy shall not be located within ten (10) feet of the street right-of-way line and shall comply with the minimum side and rear yard setback requirements for the zoning district on which the canopy is located.

4. The grocery store shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

5. The grocery store shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

6. All other utility provisions serving the grocery store shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

D. General Requirements: The following general standards shall be required for a grocery store:

1. The sale of gasoline, diesel fuel, kerosene and/or other petroleum products shall be permitted as an accessory use or as a commercial option for a grocery store. The following provisions shall apply:

   a. The maximum number of fueling pumps shall be limited to six (6) fuel pumps with twelve (12) fueling positions for a grocery store located within the C-1, C-2, C-3, MU, VG and VC Zoning Districts.

b. The maximum number of fueling pumps shall be limited to twelve (12) fuel pumps with twenty-four (24) fueling positions for a grocery store located within the BP Zoning District.

2. All merchandise or retail items sold on the premises shall not be located within the street right-of-way and areas designated as vehicular driveways or access lanes. All such areas may be located adjacent to the building provided that the storage of any merchandise does not interfere with the permitted retail sales use and that a five (5) foot minimum width is provided to accommodate pedestrian circulation.

3. All transactions shall be conducted within the grocery store or at automated fuel pumps.

4. A drive-up or drive-through service lane shall be permitted. All such facilities shall be designed with sufficient on-site stacking or queuing lanes in order to prevent the traffic congestion and/or the back-ups onto adjoining roads or adjacent properties.

5. The service lanes for the fuel pumping stations shall be designed with sufficient on-site stacking or queuing lanes to prevent the traffic congestion and/or the back-ups onto adjoining roads or adjacent properties.

6. A grocery store shall not be considered as a principal retail use, as permitted under Section 23700 of this Zoning Ordinance.

7. The demolishing, assembly or dismantling of equipment, materials or products shall be prohibited outside of the building.

8. Shopping cart storage areas shall comply with the provisions of Section 22180 of this Zoning Ordinance.

9. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

Section 23350: Heavy Equipment, Sales, Service and/or Repair Facility

A. Heavy equipment, sales, service and/or repair facilities, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. Heavy equipment, sales, service and/or repair facilities shall be permitted as a principal use by right within the AG Zoning District, provided that the activities are intended to support agricultural operations.

2. Heavy equipment, sales, service and/or repair facilities shall be permitted as a principal use by right within the I-2 Zoning District.

3. Heavy equipment, sales, service and/or repair facilities shall be permitted as an existing principal use by right within the MU Zoning District.

4. Heavy equipment, sales, service and/or repair facilities shall be permitted as a new or proposed principal use by special exception within the MU Zoning District

5. Heavy equipment, sales, service and/or repair facilities that are located and contained within an enclosed conforming building shall be permitted by special exception within the VG Zoning District.

Section 23350: Heavy Equipment, Sales, Service and/or Repair Facility															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right	P 1								P 2		P 3				
Special Exception											P 4		P 5		
Conditional Use															

P = Principal Use	A = Accessory Use	1 = Activities are intended to support agricultural uses and operations
2 = Activities are intended to support all uses and operations		4 = Existing Use within the MU Zoning District
4 = New or Proposed Use within the MU Zoning District		5 = Activities to be contained within a conforming building

B. The chart contained under Section 23350.A of this Zoning Ordinance has been provided as a general reference guide. Section 23350 and the provisions of the underlying zoning district shall apply to the permitted uses and activities.

C. Use Limitations and Restrictions: Unless otherwise permitted by East Lampeter Township, the following use limitations and restrictions shall apply to heavy equipment, sales, service and/or repair facilities:

1. The sale of gasoline, diesel fuel, kerosene and/or other petroleum products shall not be permitted as a principal use or commercial option for a heavy equipment, sales, service and/or repair facility.

2. Heavy equipment, sales, service and/or repair facilities may include: trucks (PennDOT Class 4 or greater), cargo trailers, buses, boats, yachts, farm vehicles and equipment, mechanized amusement rides, industrial equipment and/or other similar types of heavy equipment. Vehicles or equipment that does not meet these parameters shall not be permitted as part of a heavy equipment, sales, service and/or repair facility.

3. The sale of parts, equipment, accessories, lubricants and/or petroleum products may be permitted as an accessory use to a heavy equipment, sales, service and/or repair facility. No more than twenty-five (25) percent of the gross floor area of the building occupying the heavy equipment, sales, service and/or repair facility shall be utilized for retail sales.

4. All heavy equipment that has been brought in for service, maintenance or repair shall in a state of active repair and shall not be permitted on the premises for a period of more than sixty (60) days.

5. Impoundment facilities or storage areas of heavy equipment shall be permitted as an accessory use by right to the heavy equipment, sales, service and/or repair facility. The on-site demolishing or dismantling of heavy equipment for salvage or parts shall be prohibited.

D. General Requirements: The following provisions shall apply to heavy equipment, sales, service and/or repair facilities:

1. The heavy equipment, sales, service and/or repair facility shall be serviced by public sanitary sewer facilities (where available), which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The heavy equipment, sales, service and/or repair facility shall be serviced by public water supply facilities (where available), which shall be consistent with plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the heavy equipment, sales, service and/or repair facility shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

4. Unless otherwise specified, the heavy equipment, sales, service and/or repair facility shall comply with the setback, coverage and height requirements of the zoning district on which the principal building(s) and sales area are located.

5. The temporary storage of heavy equipment that have been brought to the facility for repair or service shall be located at least fifty (50) feet from all street right-of-way lines and all other property lines.

6. The permanent or temporary storage of heavy equipment that is for sale on the property shall be located at least thirty (30) feet from all street right-of-way lines and all other property lines.

7. No outdoor storage of parts, equipment, lubricants, fuel or other materials used or discarded as part of the automobile service facility shall be permitted.

8. All vehicles that are stored on the property shall be in an active state of repair or scheduled to be repaired.

Section 23360: Home Improvement and/or Building Supply Store

A. Home improvement and/or building supply stores, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. A home improvement and/or building supply stores containing a maximum building size of 40,000 square feet of gross floor area shall be permitted as a principal use by right in the C-1 Zoning District.

2. A home improvement and/or building supply stores shall be permitted as a principal use by right in the C-2, VG and VC Zoning Districts

Section 23360: Home Improvement and/or Building Supply Store															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right					P 1	P							P	P	
Special Exception															
Conditional Use															
P = Principal Use			A = Accessory Use					1 = Special Building and Design Requirements							

B. The chart contained under Section 23360.A of this Zoning Ordinance has been provided as a general reference guide. Section 23360 and the underlying zoning districts shall apply to home improvement and/or building supply stores.

C. General Requirements: The following standards shall be required for home improvement and/or building supply store:

1. The home improvement and/or building supply store shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The home improvement and/or building supply store shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the home improvement and/or building supply store shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company, the utility services shall be installed underground.

4. All merchandise or retail items sold on the premises shall not located be within the street right-of-way and areas designated as vehicular driveways or access lanes. All such areas may be located adjacent to the building provided that the storage of any merchandise does not interfere with the permitted retail sales use and that a five (5) foot minimum width is provided to accommodate pedestrian circulation.

5. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

6. All drilling, cutting, sawing, mixing, crushing and/or preparation of building materials shall be conducted within an enclosed building.

7. All testing or repair of motorized equipment shall be conducted within an enclosed building.

8. Shopping cart storage areas shall be located and designed to comply with the provisions of Section 22180 of this Zoning Ordinance.

Section 23370: Home Occupation

A. Home occupation, as defined under Section 2020 of this Zoning Ordinance shall be permitted as follows:

1. A "no-impact home occupation" shall be permitted as an accessory residential use by right in the AG, R-1, R-2, R-3, C-1, C-2, C-3, BP, MU, BH, VG, VC and VR Zoning Districts.

2. A "minimal impact home occupation" shall be permitted as an accessory residential use by special exception in the AG, R-1, R-2, R-3, C-1, C-2, C-3, BP, MU, BH, VG, VC and VR Zoning Districts.

Section 23370.1: Home Occupation as an Accessory Use to a Single-Family Detached Dwelling															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right	A 1	A 1	A 1	A 1	A 1	A 1	A 1			A 1	A 1	A 1	A 1	A 1	A 1
Special Exception	A 2	A 2	A 2	A 2	A 2	A 2	A 2			A 2	A 2	A 2	A 2	A 2	A 2
Conditional Use															
P = Principal Use					A = Accessory Use										
1 = No Impact Home Occupation					2 = Minimal Impact Home Occupation										

B. The chart contained under Section 23360.1.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23360.C shall apply to a "no impact home occupation use" and the provisions for contained under Section 23360.D shall apply to a "minimal impact home occupation use".

C. No-Impact Home Occupation: The following provisions shall apply to a no-impact home occupation:

1. The no-impact home occupation shall be accessory to a permitted residential use, which shall be maintained and occupied by the landowner or tenant.

2. The no-impact home occupation use may include a non-residential business activity that is administered or conducted as an accessory use, which is clearly secondary or incidental to the permitted residential use. All such no-impact home occupation uses shall involve no customer, client or patient traffic (whether vehicular or pedestrian), pickup, delivery or removal functions to or from the premises, in excess of those normally associated with a permitted residential use.

3. The no-impact home occupation shall include only lawful uses.

4. The residential use shall be located on a conforming lot that complies with the land area, setback and height requirements of the zoning district on which the residential use is located.

5. The no-impact home occupation shall be conducted within the residential dwelling or a permitted accessory building. The area devoted to the home occupation use shall not be greater than twenty-five (25) percent of the floor area of the residential detached dwelling unit or five hundred (500) square feet, whichever is less.

6. The principal and accessory use shall be serviced by public or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

7. The principal and accessory use shall be serviced by public or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

8. The sanitary sewage disposal facilities and water supply facilities shall have sufficient capacities to accommodate the residential use and the no-impact home occupations use.

9. There shall be no more than one (1) home occupation per residential dwelling unit.

10. The no-impact home occupation use shall include no employees other than family members residing within the permitted residential use.

11. The exterior appearance of the residential use shall be maintained as a residence. There shall be no stockpiling, storage or inventory of products of a substantial nature

12. Retail sales shall not be permitted as part of the no-impact home occupation use.

D. Minimal Impact Home Occupation: The following provisions shall apply to a minimal impact home occupation:

1. The minimal impact home occupation use shall be accessory to a permitted single-family detached dwelling, which shall be maintained and occupied by the landowner or tenant.

2. The following minimal impact home occupations shall be permitted by special exception as an accessory use to a single-family dwelling: artists; bakery or confectioner; beauticians and barbers; non-commercial day care facilities; seamstress; tailor; teacher, tutor or instructor; technical support; mechanical repair; carpentry; landscaping; therapeutic and health care services; technical support services; professional business services; and other similar minimal impact uses not listed.

3. The minimal impact home occupation shall be conducted within the single-family detached dwelling or permitted accessory building. The area devoted to the home occupation use shall not be greater than thirty (30) percent of the floor area of the single-family detached dwelling unit or seven hundred and fifty (750) square feet, whichever is less.

4. The principal and accessory use shall be serviced by public or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

5. The principal and accessory use shall be serviced by public or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

6. The sanitary sewage disposal facilities and water supply facilities shall have sufficient capacities to accommodate the single-family detached dwelling and the home occupations use.

7. The applicant shall provide documentation to East Lampeter Township that all plumbing, heating, electrical, sanitary sewage disposal, water supply, storm sewer, and similar facilities comply with all applicable laws and regulations specified by East Lampeter Township and/or the Commonwealth of Pennsylvania.

8. There shall be no more than one (1) home occupation per dwelling unit.

9. The person who owns and operates the home occupation shall be a resident of the dwelling.

10. No more than two (2) non-resident employees shall be permitted. However, in the case of a home occupation of an office in the building trades and similar fields, the business may have additional employees for off-site activities, provided that they are not employed on-site, they do not park on or near the property, and they do not visit the property during the course of business.

11. The exterior appearance of the single-family detached dwelling shall be maintained as a residence.

12. Retail sales shall only be permitted provided that the solicitation and transaction is limited to a single client via appointment.

13. No storage or display of goods shall be visible from the outside of the building.

14. No outdoor storage of materials or products shall be permitted. The storage of materials or products in accessory structures or attached garages shall be permitted.

15. No explosive or highly combustible materials shall be used or stored on the premises.

16. The use shall not require the delivery of materials and goods by trucks larger than standard panel truck.

17. The home occupation use shall not generate waste products or material of a quality or quantity not normally associated with a residential use.

Section 23380: Horse Barns for Transportation

A. Horse barns for transportation, as defined under Section 2020 (Definitions of Specific Terms) of this Zoning Ordinance, shall be permitted as an accessory residential use within the AG, R-1, R-2, BH, VG, VC and VR Zoning Districts..

Section 23380: Horse Barns for Transportation															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right	A 1	A 1	A 1									A 1	A 1	A 1	A 1
Special Exception															
Conditional Use															
P = Principal Use			A = Accessory Use					1 = Special Vehicular Access Requirements							

B. The chart contained under Section 23370.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23370 and the underlying zoning districts provide specific regulations for horse barns for transportation.

C. Area and Setback Requirements: The following provisions shall apply to horse barns for transportation:

1. The permitted principal use and the horse barn for transportation use shall be located on a conforming lot with a minimum lot area of 20,000 square feet.

2. The barn housing the horses shall be located at least twenty (20) feet from street right-of-way line and shall comply with the setback requirements for an accessory building, as specified by the zoning district in which the barn is located.

3. The grazing area for the horses shall be located at least five (5) feet from all property lines.

D. General Requirements: The following general provisions shall apply to a horse barn for transportation:

1. No more than (1) horse shall be housed on a residential lot containing a lot area between 20,000 square feet and one (1) acre. An additional horse may be added for each additional acre over the one (1) acre base requirement.

2. The maximum number of horses housed on the residential lot shall comply with the approved manure management plan for the property.

3. The horses shall be kept within a fully enclosed detached building. The same building may also be used for the sheltering of additional horses belonging to visitors, provided that the time period is less than seven (7) days per calendar year.

4. If a grazing area is provided, it shall be enclosed by a fence with a minimum height of four (4) feet and maximum height of six (6) feet.

5. The owner of the horses shall exercise suitable control over the animals and shall not allow a nuisance condition to be created in terms of excessive noise, dirt, or odor.

6. The horse barn for transportation shall comply with all local, state and federal laws concerning manure management, nutrient management, fertilizer applications, water supply, stormwater management, erosion and sedimentation control, and sanitary sewage disposal.

7. The plan for manure management shall be consistent with the policies of the Lancaster County Conservation District and/or other agencies with jurisdiction.

Section 23390: Hospital and/or Medical Center

A. A "hospital" and/or "medical center", as defined under Section 2020 shall be permitted as a principal use by right within the BP Zoning District.

Section 23400: Hospital and/or Medical Center															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right										P					
Special Exception															
Conditional Use															
P = Principal Use					A = Accessory Use										

B. The chart contained under Section 23390.A of this Zoning Ordinance has been provided as a general reference guide. Section 23390 and the underlying zoning districts provide specific regulations for hospitals and/or medical centers.

C. Permitted Uses: The following principal and accessory uses shall be permitted within a hospital or medical center.

1. The principal use shall be the hospital or medical center.

2. Subordinate uses within the hospital or medical center shall be limited to: restaurants or cafeterias; administrative and professional offices; retail sales establishments; banks or financial institutions; personal care or service establishments; conference or convention centers; commercial day care facilities; recreational uses; educational uses; religious uses; and other similar uses that are determined appropriate by East Lampeter Township as part of the conditional use application. The cumulative gross floor area for all such accessory uses shall not occupy more than forty (40) percent of the cumulative gross floor area of all uses within the hospital or medical center. All subordinate uses shall be located at least fifty (50) feet from all property lines and street right-of-ways.

D. Hospitals and medical centers shall comply with the following minimum and maximum dimensional requirements:

1. A minimum of five (5) acres of contiguous net land area shall be required for a hospital or medical center.

2. The minimum lot width shall be two hundred (200) feet.

3. All buildings shall be located at least fifty (50) feet from all property lines and street right-of-way lines.

4. The minimum distance between principal buildings shall be fifty (50) feet

5. The maximum building coverage shall be sixty (60) percent of the lot.

6. The maximum impervious coverage shall be eighty (80) percent of the lot.

7. The maximum height of an in-patient hospital building shall be seventy (70) feet at the front yard, side yard and rear yard building setback lines. Taller buildings or structures are permitted, provided that an additional setback of two (2) feet is provided for every one (1) foot of height in excess of seventy (70) feet up to a maximum height of ninety- five (95) feet.

E. Hospitals and/or medical centers shall be subject to the following general requirements:

1. The uses contained within the hospital or medical center shall be served by public sanitary sewer facilities, which shall be planned in accordance with the East Lampeter Township Sewage Facilities Plan, as adopted to comply with Pennsylvania Sewage Facilities Act and ordinances adopted by East Lampeter Township.

2. The uses contained within the hospital or medical center shall be served by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the hospital or medical center shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, all utility connections shall be installed underground.

4. All heliport or helistop facilities shall be located at least five hundred (500) feet from all property lines. All such uses shall be approved by the appropriate local, state and federal authorities.

5. The primary points of ingress and egress to the medical research park shall be located along a collector or arterial street. As part of the land development application, the applicant shall mitigate all potential traffic impacts that will be created by the hospital or medical center.

6. All designated points of ingress and egress for emergency management vehicles shall be located at least five hundred (500) feet from a residential zoning district and designed to consider traffic volumes on existing streets and adjacent uses.

7. All property lines adjacent to existing residential land uses shall be adequately screened and buffered so as to protect the residential neighborhood from inappropriate noise, light and other disturbances.

8. The off-street parking and loading spaces shall be designed to comply with the provisions specified under Sections 22150 and 22160 of this Zoning Ordinance. The interior accessways shall be designed so as to prevent traffic congestion at points of ingress and egress. All proposed areas designated for the loading or unloading of emergency response vehicles, buses and/or other commercial vehicles shall be planned and arranged so they may be utilized without interfering with the interior traffic circulation and parking facilities.

9. The applicant shall develop, implement and maintain a working plan for the trash disposal, recycling and the clean-up of litter that is a result of the facility operations and visitors.

10. All medical waste, bio-hazardous materials, equipment, red bag waste, and other similar items, which because of its potential health risks, shall be discarded in a manner specified by local, state and federal laws.

11. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

Section 23400: Hotel and/or Motel

A. Hotel and/or motel, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. A hotel or motel containing a maximum of seventy-five (75) rental units or rooms within a building(s) shall be permitted as a principal use by right within the VG Zoning District.

2. A hotel or motel containing a maximum of one hundred (100) rental units or rooms within a building(s) shall be permitted as a principal use by right within the BH and VC Zoning Districts.

3. A hotel or motel containing a maximum of one hundred twenty-five (125) rental units or rooms within a building(s) shall be permitted as a principal use by right within the C-2 Zoning District.

4. A hotel or motel containing a maximum of two hundred (200) rooms or rental units within a building(s) with a maximum height of sixty (60) feet shall be permitted as a principal use by right in the C-3 Zoning District

5. A hotel or motel containing a maximum of four hundred (400) rooms or rental units within a building(s) shall be permitted as a principal use by conditional use within the C-3 Zoning District.

6. A hotel or motel containing a maximum of four hundred (400) rooms or rental units within a building(s) shall be permitted by right in the BP Zoning District.

7. An "extended stay hotel" shall be permitted by right in the BP Zoning District and by special exception within the C-3, BH, VG and VC Zoning Districts. The maximum number of units within an extended stay hotel shall be limited to the maximum number of units that are permitted for a hotel or motel use within the zoning district on which the extended stay hotel is located.

Section 23400: Hotel or Motel															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right						P 3	P 4,			P 6, 7		P 2	P 1	P 2	
Special Exception							P 7					P 7	P 7	P 7	
Conditional Use							P 5								

P = Principal Use	A = Accessory Use	1 = Maximum of 75 rental units in the VG Zoning District
2 = Maximum of 100 rental units in the BH and VC Zoning Districts		3 = Maximum of 125 rental units within the C-2 Zoning District
4 = Maximum 200 rental units within the C-3 Zoning District		5 = Maximum 400 rental units within the C-3 Zoning District
6 = Maximum of 400 units in BP Zoning District		7 = Extended stay hotel

B. The chart contained under Section 23400.A of this Zoning Ordinance has been provided as a general reference guide. Section 23400 and the underlying zoning districts provide specific regulations for hotels and/or motels.

C. Permitted Uses: The following principal and accessory uses shall be permitted within a hotel or motel use:

1. The principal use shall be the hotel or motel contained six (6) or more residential units.

2. Subordinate or accessory uses within the hotel or motel shall be limited to the following:

a. VG Zoning District: administrative offices; meeting rooms; retail sales; child care facilities; amusement arcades; and/or other similar uses. The cumulative gross floor area or occupied space for all such subordinate or accessory uses shall not occupy more than five (5) percent of the cumulative gross floor area or occupied space area of all permitted uses within the hotel or motel.

b. BH and VC Zoning District: administrative offices; restaurants; recreation facilities and uses; meeting rooms; retail sales; child care facilities; theaters; amusement arcades; and/or other similar uses. The cumulative gross floor area or occupied space for all such subordinate or accessory uses shall not occupy more than ten (10) percent of the cumulative gross floor area or occupied space area of all permitted uses within the hotel or motel

c. C-2 Zoning District: administrative offices; restaurants; recreation facilities and uses; meeting rooms; retail sales; child care facilities; theaters; amusement arcades; and/or other similar uses. The cumulative gross floor area or occupied space for all such subordinate or accessory uses shall not occupy more than ten (10) percent of the cumulative gross floor area or occupied space area of all permitted uses within the hotel or motel.

d. C-3 Zoning District: administrative offices; conference centers; meeting rooms; restaurants, recreation facilities and uses; entertainment uses; theaters; retail sales; personal care or service uses; child care facilities; amusement arcades; and/or other similar uses. The cumulative gross floor area or occupied space for all such subordinate or accessory uses shall not occupy more than twenty (20) percent of the cumulative gross floor area or occupied space area of all permitted uses within the hotel or motel

e. BP Zoning District: administrative offices; conference centers; meeting rooms; restaurants, recreation facilities and uses; entertainment uses; theaters; retail sales; personal care or service uses; child care facilities; amusement arcades; and/or other similar uses. The cumulative gross floor area or occupied space for all such subordinate or accessory uses shall not occupy more than twenty (20) percent of the cumulative gross floor area or occupied space area of all permitted uses within the hotel or motel.

f. The accessory and subordinate uses shall be designed to directly benefit and accommodate the guests of the hotel or motel.

3. An on-site manager may occupy an attached or contained dwelling for full-time residential occupancy.

4. An "extended stay hotel" shall not be classified and/or occupied as a residential apartment or multi-family dwelling. The maximum length of stay at an "extended stay hotel" shall be one hundred eighty (180) cumulative days within any given calendar years.

5. The permitted uses described within Section 23400.C.1 and 23400.C.2 of this Zoning Ordinance may be permitted outside of the hotel or motel provided that such uses comply with the setback requirements specified by the underlying zoning district.

D. General Requirements: The following general requirements shall apply to a hotel or motel use:

1. The hotel or motel shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The hotel or motel shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving hotel or motel shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

4. The architectural features or building facade for the uses within the hotel or motel shall be harmoniously planned as a unified development. As part of the land development plan application, the applicant or developer shall identify the non-residential uses and demonstrate how these uses can be amicably planned considering their architectural appearance.

5. The use and related activities shall not emit noise, glare, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat and/or other perceptible or objectionable nuisances that would impact neighboring properties, or be noticeable at or beyond the property line.

6. The applicant shall furnish evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, noise, light, dust, smoke, litter and pollution.

7. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

Section 23410: Kennel

A. Kennel, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as an accessory use by special exception within the AG Zoning District.

Section 23410: Kennel															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right															
Special Exception	A 1, 2														
Conditional Use															
P = Principal Use					A = Accessory Use										
1 = Special Lot Size Requirements					2 = Special Building Size Requirements										

B. The chart contained under Section 23410.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23410 and the underlying zoning district provides specific regulations for a kennel as an accessory use to an agricultural operation or farm.

C. Area and Utility Requirements: The following general provisions shall apply to a kennel:

1. The minimum land area for a kennel shall be ten (10) acres.

2. The kennel shall be serviced by public or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. The kennel shall be serviced by public or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

D. Setback Requirements: The following specific setback requirements shall apply to a kennel:

1. The principal building or structures utilized as part of the kennel shall be located at least five hundred (500) feet from all street rights-of-way and property lines.

2. All external storage areas or open areas utilized as part of the kennel shall be located at least three hundred (300) feet from all street rights-of-way and property lines.

3. All buildings, structures, external storage areas and/or open areas utilized as part of the kennel shall be located at least one hundred (100) feet from any land or water areas considered to be floodplains, perennial streams, intermittent streams, surface waters, wetlands, water supply wells, and slopes exceeding twenty-five (25) percent in grade.

E. General Regulations: The following general provisions shall also apply to kennel:

1. A kennel shall be permitted as an accessory use to an agricultural operation or a farm.

2. The kennel shall operate in accordance with all local, state and federal laws. Where appropriate, the landowner or operator of the kennel shall supply East Lampeter Township with the permits and licenses that are required to operate a kennel.

3. The kennel shall be operated by the resident landowner of the property, who shall be responsible of the daily operations, activities and maintenance of the kennel.

4. Employees of the kennel operation shall be limited to the landowner and not more than five (5) non-resident employees of the farm.

5. Structures or portions of structures for the exclusive use of the kennel operation shall not exceed ten thousand (10,000) square feet of gross floor area.

6. Outdoor runs or common exterior areas may be permitted for the animals being cared for at the kennel, subject to the following conditions:

   a. The outdoor runs are conducted between the hours of 7:00 a.m. and 9:00 p.m.

   b. The animals shall be kept indoors between 9:00 p.m. and 7:00 a.m.

   c. The outdoor runs are conducted within a defined external area, which is completely enclosed by a six (6) foot security high fence.

7. A veterinary office may be permitted as a principal use by special exception within the Agricultural (A) Zoning District, provided that the veterinary office complies with the pertinent provisions specified under Section 23860 of this Zoning Ordinance.

8. The perimeter of the kennel operation shall be adequately screened with a fifteen (15) foot wide landscaped strip or buffer yard, which shall comply with the provisions of this Zoning Ordinance and the Subdivision and Land Development Ordinance.

9. A plan for the storage and disposal of animal waste shall be submitted to East Lampeter Township as part of the special exception application.

10. If an incineration (retort) device is proposed to be installed on the property, the applicant shall provide documentation that the permits and licenses have been secured from the agencies having jurisdiction.

11. If a manure storage facility is required, the following provisions shall apply:

    a. Manure storage facility shall be designed in compliance with the laws and guidelines outlined within the publication Manure Management for Environmental Protection, Bureau of Water Quality Management (Publication No. 43) and other provisions established by the Commonwealth of Pennsylvania.

    b. Designs for any manure storage facility shall be reviewed and approved by the Lancaster County Conservation District.

    c. Manure storage facility shall not be located within three hundred (300) feet of any building being utilized for human habitation as of the effective date of this Zoning Ordinance and not within three hundred (300) feet of any property or street right-of-way lines.

    d. Manure shall not be spread on fallow fields or when weather conditions prevent consolidation of the manure into the soil.

12. Exterior storage areas for trash and rubbish shall comply with the provisions specified by East Lampeter Township and the Commonwealth of Pennsylvania. All containers or dumpsters shall be enclosed, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste.

F. Regulatory Conflicts: If there is a conflict between the provisions specified under Section 23410 and any other provisions adopted by East Lampeter Township or the Commonwealth of Pennsylvania, the more restrictive provision shall apply to the kennel.

Section 23420: Laboratory

A. Laboratory, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as a principal use by right within the BP Zoning District.

Section 23420: Laboratory															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right										P					
Special Exception															
Conditional Use															
P = Principal Use				A = Accessory Use											

B. The chart contained under Section 23420.A of this Zoning Ordinance has been provided as a general reference guide. Section 23420 Laboratory and the underlying zoning district provides specific regulations for laboratory.

C. General Requirements: The following general requirements shall apply to a laboratory:

1. The laboratory shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The laboratory shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the laboratory shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

4. The research, testing, and/or product development conducted within the laboratory shall not pose a threat to the health, safety and/or general welfare of any property or use within East Lampeter Township. Where, appropriate, the landowner shall design, construct and implement appropriate safeguards to ensure that the use complies with all pertinent local, state and federal laws.

5. The landowner and/or tenant shall provide East Lampeter Township and the local emergency management service responders (police, fire and ambulance) with a complete list of materials, chemicals and/or substances that are typically stored or maintained on the property that could be considered hazardous or dangerous to the employees, visitors and/or emergency service responders.

6. The quantity and quality of the wastewater generated, stored, transported and/or discharged shall be subject to the review and approval of East Lampeter Township and the PA Department of Environmental Protection

7. The use and related activities shall not emit noise, glare, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat and/or other perceptible or objectionable nuisances that would impact neighboring properties, or be noticeable at or beyond the property line.

8. All hazardous waste, toxic waste, medical waste, infectious waste, red bag waste, and other similar items, shall be discarded in a manner specified by local, state and federal laws.

Section 23430: Library

A. Library, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1 A library shall be permitted as a principal use by right in the C-1, BP, MU, BH, VG and VC Zoning Districts.

2 A library shall be permitted as a principal use by special exception within the R-2 and R-3 Zoning Districts.

Section 23430: Library															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right					P					P	P	P	P	P	
Special Exception			P	P											
Conditional Use															
P = Principal Use					A = Accessory Use										

B. The chart contained under Section 23430.A of this Zoning Ordinance has been provided as a general reference guide. Section 23430 and the underlying zoning district provide specific regulations for library.

C. Permitted Uses: The following principal and accessory uses shall be permitted within a library:

1. The principal use shall be the library.

2. Subordinate or accessory uses within a library shall be limited to: administrative offices; meeting rooms; conference rooms; work stations; child care facilities; and/or other similar uses. The cumulative gross floor area or occupied space area for all such accessory uses shall not occupy more than five (5) percent of the cumulative gross floor area or occupied space area of all uses within the library. The accessory uses shall be considered subordinate uses that directly benefit the persons utilizing the library.

3. A library may contain temporary or seasonal displays to promote public education and information relative to historic resources, environmental issues, governmental functions, science, technology and other similar subjects that could benefit the community.

4. The uses described within Section 23430.C.1 and 23430.C.2 of this Zoning Ordinance shall not be permitted outside of the building occupying the library.

D. General Requirements: The following general provisions shall apply to library:

1. The library shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the sewage facilities plan and ordinances adopted by East Lampeter Township.

2. The library shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the library shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required or permitted, the utility services and connections shall be installed underground.

Section 23440: Manufactured Home Park

A. Manufactured home parks, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. A manufactured home park shall be permitted by right within the BP Zoning District.

2. A manufactured home park shall be permitted by conditional use within the R-3 Zoning District.

Section 23440: Manufactured Home Park															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right										P 1					
Special Exception															
Conditional Use				P 1											
P = Principal Use				A = Accessory Use						1 = Special Lot Size and Design Requirements					

B. The chart contained under Section 23440.A of this Zoning Ordinance has been provided as a general reference guide. The provisions under Section 23440 and underlying zoning districts provide regulations for manufactured home parks.

C. Permitted Uses: The following principal and accessory uses shall be permitted within a manufactured home park:

1. The permitted uses within a manufactured home park shall be the manufactured homes; common open space; management offices; and/or other similar uses. For the purposes of this section of the Zoning Ordinance, "manufacturing home" and "mobile home" shall be synonymous.

2. Subordinate or accessory uses within a manufactured home park shall be limited to: administrative offices; a community center; open space, recreation uses; and/or other similar uses. The accessory uses shall directly benefit the residents within the manufactured home park.

3. The permitted uses described within Section 23440.C.1 and 23440.C.2 of this Zoning Ordinance may be permitted provided that such uses comply with the setback requirements specified under Section 23430.E of this Zoning Ordinance and provided that there are no conflicts with the requirements for traffic control as specified by this Zoning Ordinance.

4. All permitted uses described within Sections 23440.C.1 and 23440.C.2 of this Zoning Ordinance shall be harmoniously planned and integrated as part of the manufactured home park.

D. Development Area, Density and Utility Requirements: The following lot area and utility provisions shall apply to a manufactured home park:

1. The manufactured home park shall contain a minimum of ten (10) acres of contiguous land area.

2. The maximum number of manufactured homes contained within the manufactured home park shall not exceed eight (8) manufactured homes per acre of gross lot area.

3. A minimum of ten (10) percent of the land area within the manufactured home park shall be set aside as open space, which shall be perpetually preserved and deeded to restrict future residential development or other uses that may conflict with the integrity of the common open space. The area designated as common open space shall comply with all provisions of this Zoning Ordinance.

4. No more than three hundred seventy-five (375) manufactured homes shall be permitted within the BP Zoning District, inclusive of existing manufactured homes as of the date of adoption of this Zoning Ordinance. When the total number of manufactured homes meets this threshold, there shall be no additional manufactured homes permitted within the BP Zoning District.

5. The manufactured home park shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

6. The manufactured home park shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

7. All other utility provisions serving the manufactured home park shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services shall be installed underground.

E. Lot Area, Width, Setback, Coverage and Height Requirements: The following specific setback, coverage and height requirements shall apply to a manufactured home park:

1. The required lot width of the development containing the manufactured home park shall be a minimum of three hundred (300) feet.

2. All permitted uses, buildings and/or structures specified under Sections 23440.C.1 and 23440.C.2 of this Zoning Ordinance shall be located at least fifty (50) feet from any street right-of-way line and external property line, which is not owned by the applicant in pre-development conditions.

3. All other incidental uses, buildings and/or structures that are not specified under Sections 23430.C.1 and 23440.C.2 of this Zoning Ordinance shall be located at least twenty (20) feet from any street right-of-way line or external property line, which is not owned by the applicant in pre-development conditions.

4. All buildings and/or structures that may be utilized as part of the permitted uses that are referenced under Sections 23440.C.1 and 23440.C.2 of this Zoning Ordinance shall located at least fifty (50) feet from any land or water areas designated as the 100-year floodplain, wetlands, hydric soils, and slopes exceeding twenty-five (25) percent in grade.

5. Manufactured homes contained within the manufactured home park shall comply with the following individual lot or lease area, setback , coverage and height requirements:

    a. The minimum lot or lease area required for each manufactured home shall be four thousand (4,000) square feet.

    b. The minimum lot width for each manufactured home lot or lease area shall be sixty (60) feet.

    c. The minimum front yard setback shall be twenty (20) feet, as measured from the right-of-way line of any internal street within the manufactured home park.

    d. The minimum side yard setback shall be ten (10) feet, as measured on each side.

    e. The minimum rear yard setback shall be twenty (20) feet.

    f. The maximum building coverage shall be seventy (70) percent for each lot or lease area.

    g. The maximum lot coverage shall be eighty (80) percent for each lot or lease area.

    h. The maximum building height shall be twenty-five (25) feet.

6. The minimum distance between the manufactured homes shall be no less than twenty (20) feet

7. No more than one (1) manufactured home shall be placed on a lot or lease area, and such manufactured home shall be occupied by not more than one (1) family.

8. All permitted non-residential uses, as specifically referenced under Sections 23440.C.1 and 23440.C.2 of this Zoning Ordinance shall be located on a designated parcel of land exceed ten thousand (10,000) square feet or within the area designated as common open space.

F. Open Space: The design of the land or water areas, which are to be designated as open space within the manufactured home park shall comply with the following standards and specifications:

1. A minimum of ten (10) percent of the gross area of the manufactured home park shall be set aside as open space, which shall be perpetually preserved and deeded to restrict future residential development or other uses that may conflict with the integrity of the open space.

2. Unless otherwise permitted by East Lampeter Township. the area designated as open space shall comply with the following specifications:

    a. No more than fifty (50) percent of the required open space area shall be located on lands within areas that are located within the 100-year floodplain, areas delineated as wetlands and/or areas exceeding twenty-five (20) percent in slope.

    b. No more than fifty (50) percent of the required open space area shall include land areas that are burdened by or are proposed to contain utilities easements and/or stormwater management facilities.

c. At least twenty-five (25) percent of the required open space area shall be designated and improved to accommodate recreation uses for the residents of the manufactured home park.

d. The total land area designated to comply with the minimum open space requirements shall be comprised of areas not less than fifty (50) feet in width and shall not contain less than one (1) contiguous acre of land.

e. There shall be at least one (1) designated common area that is contiguous within the development containing no less than twenty-five (25) percent of the required open space.

3. The open space shall be planned and located as a contiguous accessible area within the manufactured home park. Existing and/or proposed roads may bisect the areas designated as open space, provided a cross walk at grade is safely designed to link the open space areas. Planned linkages to other open space areas, preserved lands, recreation areas and/or natural features shall be encouraged and considered as part of the special exception application.

4. A pedestrian circulation system within the development shall be provided by utilizing sidewalks and trails.

5. For all open spaces, satisfactory written agreements approved by East Lampeter Township shall be executed as a declaration of easements, covenants and restrictions in perpetuity for the preservation of the open spaces, and shall be recorded with the approved plan.

6. The applicant shall make arrangements, provisions and/or agreements to insure that the open space shall continue to be adequately managed and maintained. The applicant shall retain ownership of the land encompassing the open space areas.

7. The external property or perimeter of the manufactured home park shall be adequately screened with a fifteen (15) foot wide landscaped strip or buffer yard, which shall comply with the provisions of this Zoning Ordinance and the Subdivision and Land Development Ordinance. The selected landscape materials shall be subject to the approval of East Lampeter Township.

8. The provisions specified herein for open space do not relieve the applicant of other requirements for open space and recreation, as specified by the Subdivision and Land Development Ordinance. The applicant shall be responsible for all requirements for recreation impact fees associated with this development.

G. Traffic Control: The following provisions shall apply to vehicular accessibility, parking, loading and other traffic control requirements for a manufactured home park:

1. Each permitted manufactured home, non-residential uses and open space areas that are contained within the manufactured home park shall have access to an improved public or private street.

2. The primary points of ingress and egress to the manufactured home park shall be along a collector or arterial street.

3. Driveways and access lanes shall comply with the provisions of this Zoning Ordinance and the Subdivision and Land Development Ordinance.

4. Interior access lanes shall be designed so as to prevent traffic congestion at points of ingress and egress. All proposed areas designated for parking and loading of vehicles shall be planned and arranged so they may be utilized without interfering with the interior traffic circulation and parking facilities.

Section 23450: Manufacturing

A. Manufacturing, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. A manufacturing use containing building(s) that do not exceed one hundred thousand (100,000) cumulative square feet of gross floor area shall be permitted as a principal use by right within the I-1 Zoning District.

2. A manufacturing use containing building(s) with no defined limitations on lot size or gross floor area shall be permitted as a principal use by right within the I-2 Zoning District.

3. A manufacturing use containing a building(s) not more than four hundred thousand (400,000) cumulative square feet of gross floor area shall be permitted as a principal use by right within the BP Zoning District.

4. A manufactured use containing a building(s) not more than thirty thousand (30,000) cumulative square feet of gross floor area on a conforming lot with a minimum area of two (2) acres and maximum of ten (10) acres shall be permitted as a principal use by right within the BH, VG and VC Zoning District.

Section 23450: Manufacturing															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right								P 1	P	P 1		P 1	P 1	P 1	
Special Exception															
Conditional Use															
P = Principal Use			A = Accessory Use					1 = Special Lot and/or Building Size Requirements							

B. The chart contained under Section 23450.A of this Zoning Ordinance has been provided as a general reference guide. Section 23440 and the underlying zoning district provide specific regulations for manufacturing uses.

C. Permitted Uses: The following land use provisions shall apply to a manufacturing facilities:

1. The principal use shall be the manufacturing facility, which shall include a building or group of buildings primarily utilized for the manufacturing, processing or assembling of goods and products.

2. Retail sales of the goods and products that are manufactured, processed, assembled or maintained at the manufacturing facility, may be permitted as an accessory use. The designated sales area for the accessory retail use shall not exceed five thousand (5,000) square feet of gross floor area or fifteen (15) percent of the gross floor area, whichever is greater.

D. General Requirements: The following general requirements shall apply to manufacturing uses:

1. The manufacturing use shall be serviced by public (where available) or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The manufacturing use shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the manufacturing use shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

4. All principal use and activities associated with the manufacturing use shall be conducted within an enclosed building that complies with the appropriate building code requirements for a commercial and/or industrial establishment within East Lampeter Township.

5. All manufacturing activities shall not pose a threat to the health, safety and/or general welfare of any property or use within East Lampeter Township. Where, appropriate, the landowner shall design, construct and implement appropriate safeguards.

6. The landowner and/or tenants of the manufacturing facility shall provide East Lampeter Township and the emergency service responders (police, fire and ambulance) with a complete list of materials, chemical and/or substances that are typically stored or maintained on the property that could be considered hazardous or dangerous to the employees, visitors and/or emergency service responders.

7. The quantity and quality of the wastewater generated, stored, transported and/or discharged shall be subject to the review of East Lampeter Township and the Pennsylvania Department of Environmental Protection.

8. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

9. The use and related activities shall not emit noise, glare, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat and/or other perceptible or objectionable nuisances that would impact neighboring properties, or be noticeable at or beyond the property line.

10. All hazardous waste, toxic waste, infectious waste, and other similar items, which because of its potential health risks, shall be discarded in a manner specified by local, state and federal laws.

11. A manufacturing use located within the BH, VG and VC Zoning Districts shall be located along a public road owned and maintained by East Lampeter Township.

Section 23460: Mass Transportation Depot

A. Mass transportation depot, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted principal use by right within the C-2 and C-3 Zoning Districts.

Section 23460: Mass Transportation Depot															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right						P 1	P 1								
Special Exception															
Conditional Use															
P = Principal Use			A = Accessory Use					1 = Special Vehicle Requirements							

B. The chart contained under Section 23460.A of this Zoning Ordinance has been provided as a general reference guide. Section 23460 and the provisions of the underlying zoning district shall apply to mass transportation depots.

C. General Requirements: The following general standards shall be required for mass transportation depot:

1. The mass transportation depot shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The mass transportation depot shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the mass transportation depot shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services shall be installed underground.

4. The buildings utilized as part of the mass transportation depot shall be located, designed and constructed in accordance with the appropriate building code requirements adopted by East Lampeter Township.

5. All activities shall not pose a threat to the health, safety and/or general welfare of any property or use within East Lampeter Township. Where, appropriate, the landowner or operator shall design, construct and implement appropriate safeguards.

6. The use and related activities shall not emit noise, glare, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat and/or other perceptible or objectionable nuisances that would impact neighboring properties, or be noticeable at or beyond the property line.

Section 23470: Medical, Dental, Vision Care and Counseling Clinic

A. Medical, dental, vision care and counseling clinic, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. A medical, dental, vision care and counseling clinic shall be a principal use permitted by right within the C-1, BP, MU, BH, VG and VC Zoning Districts.

2. A medical, dental, vision care and counseling clinic shall be a principal use permitted by special exception within the R-3and VR Zoning Districts.

Section 23470: Medical, Dental, Vision Care and Counseling Clinic															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right					P					P	P	P	P	P	
Special Exception				P											P
Conditional Use															
P = Principal Use				A = Accessory Use											

B. The chart contained under Section 23470.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23470 and the underlying zoning district provides specific regulations for medical, dental, vision care and counseling clinic.

C. General Requirements: The following provisions shall apply to a medical, dental, vision care and counseling clinic:

1. A medical, dental, vision care and counseling clinic shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. A medical, dental, vision care and counseling clinic shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the medical, dental, vision care and counseling clinic shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required, the utility services and connections shall be installed underground.

4. The medical, dental, vision care and counseling clinic shall be exclusively utilized to observe, examine, test, diagnose, treat and/or provide care to patients on an out-patient basis. A medical, dental, vision care and counseling clinic shall not be considered as a hospital or medical center.

5. All principal use and activities associated with the medical, dental, vision care and counseling clinic use shall be conducted within an enclosed building that complies with the appropriate building code requirements for a commercial and/or industrial establishment within East Lampeter Township.

6. The research, testing, and/or product development shall not pose a threat to the health, safety and/or general welfare of any property or use within East Lampeter Township. Where, appropriate, the landowner shall design, construct and implement appropriate safeguards.

7. The landowner shall provide East Lampeter Township with a complete list of materials, chemical and/or substances that are typically stored or maintained on the property that could be considered hazardous or dangerous to the employees, visitors and/or emergency service responders (police, fire and ambulance).

8. The use and related activities shall not emit noise, glare, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat and/or other perceptible or objectionable nuisances that would impact neighboring properties, or be noticeable at or beyond the property line.

9. The applicant shall furnish evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, noise, light, dust, smoke, litter and pollution.

10. All hazardous waste, toxic waste, medical waste, infectious waste and/or red bag waste, which because of its potential health risks, shall be discarded in a manner specified by local, state and federal laws.

11. The disposal of all materials and wastes shall be accomplished in a manner that complies with local, state and federal laws. The applicant shall provide documentation to East Lampeter Township that licensed waste haulers have been contracted to dispose of the discarded materials and wastes from the site. Should the nature of the use change in the future, such that the materials used or wastes generated changes significantly either in type or amount, the landowner shall provide notification to East Lampeter Township.

12. A pedestrian circulation system consisting of sidewalks, crosswalks and handicapped ramps shall be designed to provide a mode of safe and convenient travel for the patients and employees.

Section 23480: Motor Freight Terminal

A. Motor freight terminal, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted principal use by right within the I-2 Zoning District.

Section 23480: Motor Freight Terminal															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right									P						
Special Exception															
Conditional Use															
P = Principal Use				A = Accessory Use											

B. The chart contained under Section 23480.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23480 and the provisions of the underlying zoning district shall apply to motor freight terminals.

C. Area and Utility Provisions: The following lot area and utility requirements shall apply to a motor freight terminal:

1. The maximum land area shall that shall be designated for a motor freight terminal shall be twenty (20) acres.

2. The motor freight terminal shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. The motor freight terminal shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. All other utility provisions serving the motor freight terminal shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services shall be installed underground.

D. Lot Width, Setback, Coverage and Height Requirements: The following lot width, setback, coverage and height requirements shall apply to motor freight terminals:

1. The minimum lot width for the motor freight terminal shall be three hundred (300) feet.

2. The principal buildings located on the lot occupied by the motor freight terminal use shall be located at least one hundred (100) feet from all street rights-of-way lines.

3. The accessory buildings and structures located on the lot occupied by the motor freight terminal use shall be located at least fifty (50) feet from all street rights-of-way lines and property lines.

4. All permitted fuel service islands shall be located at least fifty (50) feet from all street rights-of-way lines and property lines.

5. All vehicles, equipments and materials stored outside of the buildings shall be located at least fifty (50) feet from all street rights-of-way lines and property lines.

6. The temporary storage of any vehicles and equipment that have been brought to the facility for repair or service shall be located at least fifty (50) feet from all street right-of-way lines and all other property lines.

7. All lubricants, fuel and/or petroleum products shall be contained within a permitted building, structure and/or containment facility that complies with local, state and federal laws.

E. General Requirements: The following general standards shall be required for motor freight terminals:

1. All vehicle service and/or repair activities shall be located within an enclosed building that complies with the appropriate building code requirements for a commercial and/or industrial establishment.

2. All activities shall not pose a threat to the health, safety and/or general welfare of any property or use within East Lampeter Township. The landowner shall design, construct and implement appropriate safeguards.

3. The landowner shall provide East Lampeter Township with a complete list of materials, chemical and/or substances that are typically stored or maintained on the property that could be considered hazardous or dangerous to the employees, visitors and/or emergency service responders (police, fire and ambulance).

4. All vehicles that have been brought in for service, maintenance or repair shall in a state of active repair and shall not be permitted on the premises for a period of more than sixty (60) days.

5. The on-site demolishing or dismantling of vehicles for salvage or parts shall be prohibited.

6. The use and related activities shall not emit noise, glare, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat and/or other perceptible or objectionable nuisances that would impact neighboring properties, or be noticeable at or beyond the property line.

7. The applicant shall furnish evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, noise, light, dust, smoke, litter and pollution.

8. Drive-through service facilities, scales and/or vehicle washing facilities shall provide sufficient stacking or queuing lanes to accommodate the use of the facility during peak demand periods.

9. The entrance and interior access lanes shall be designed so as to prevent traffic congestion at points of ingress and egress. All designated areas for parking and loading of vehicles shall be arranged so they may be utilized without interfering with the interior traffic circulation and parking facilities.

Section 23490: Multi-Family Dwellings

A. Multi-family dwellings, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. Multi-family dwellings containing apartments as a principal use shall be permitted by right in the R-3, C-1 and MU Zoning Districts.

2. Multi-family dwellings containing apartments and/or townhouses as a principal use shall be permitted by right within the BP Zoning District.

3. Multi-family dwellings containing apartments as a principal use shall be permitted by special exception within the BH, VG, VC and VR Zoning Districts.

Section 23490: Multi-Family Dwellings															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right				P 1	P 1					P 1	P 1				
Special Exception												P 1	P 1	P 1	P 1
Conditional Use															
P = Principal Use				A = Accessory Use				1 = Special Lot Size and Design Requirements							

B. The chart contained under Section 23490.A of this Zoning Ordinance has been provided as a general reference guide. Section 23490 and the underlying zoning districts provide specific regulations for multi-family dwellings.

C. Permitted Uses: The following principal and accessory uses shall be permitted within developments containing multi-family dwelling units:

1. The principal use shall be the multi-family dwelling units.

2. Accessory uses within developments containing multi-family dwelling units shall be limited to: administrative offices; a community center; open space; private or restricted recreation uses; first floor retail use containing no more than five thousand (5,000) square feet; and/or other similar uses. The accessory uses shall directly benefit the residents of the multi-family dwelling units.

3. The permitted uses described within Section 23490.C.1 and 23490.C.2 of this Zoning Ordinance may be permitted provided that such uses comply with the dimensional requirements and development provisions specified by this Zoning Ordinance.

4. All permitted principal and accessory uses shall be harmoniously planned and integrated as part of the multi-family dwelling units.

D. Development Area, Density and Utility Requirements: The following lot area and utility provisions shall apply to a multi-family dwelling units:

1. For residential density purposes, the minimum lot size requirements shall be as follows:

a. The minimum lot size shall be two thousand five hundred (2,500) square feet for a multi-family residential use within the BP Zoning District.

b. The minimum lot size shall be three thousand (3,000) square feet for a multi-family residential use within the R-3, C-1, MU, BH, VG, VC and VR Zoning Districts.

2. No more than seven hundred seventy-five (775) multi-family dwelling units will be permitted in the BP Zoning District, inclusive of existing multi-family dwellings as of the date of the adoption of this Ordinance. When the total number of units meets this threshold, there shall be no additional residential units permitted under this Zoning Ordinance.

3. A minimum of ten (10) percent of the land area within a development containing twenty (20) or more multi-family dwelling units shall be designated as open space, which shall be perpetually preserved and deeded to restrict future residential development or other uses that may conflict with the integrity of the open space. The area designated as open space shall comply with all provisions of this Zoning Ordinance.

4. The multi-family dwelling units shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

5. The multi-family dwelling units shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

E. Lot Width, Setback, Coverage and Height Requirements: The following provisions shall apply to the development, multi-family dwelling units and non-residential units:

1. When a single tract is developed with multi-family dwellings, the arrangement of the structures shall comply with the following separation distances between or among the buildings:

a. When front-to-front, rear-to-rear, or front-to-rear, parallel buildings shall have fifty (50) feet between the facing surfaces of the buildings. If the building faces are obliquely aligned, this distance may be decreased by as much as ten (10) feet at one end if increased by at least the same distance at the other end.

b. A yard space of fifty (50) feet is required between end walls of buildings. If buildings are placed at right angles to each other (or are within five [5] degrees of being at right angles), then the distance separating the nearest corners of the end walls of the buildings may be reduced to not less than twenty-five (25) feet.

c. Where the end wall of one building faces the front or rear wall of another building, there shall be a minimum distance of fifty (50) feet between such facing walls.

2. A lot containing a townhouse shall have a minimum lot width of twenty-five (25) feet as measured at the street right-of-way line and twenty-five (25) feet as measured at the front yard setback line

3. All other uses and site improvements shall comply with the setback, coverage and height requirements of the underlying zoning district on which it is located.

F. Open Space: The design of the land or water areas, which are to be designated as open space within the development shall comply with the following standards and specifications:

1. A minimum of ten (10) percent of the land area within a development containing twenty (20) or more multi-family dwelling units shall be designated as open space, which shall be perpetually preserved and deeded to restrict future residential development or other uses that may conflict with the integrity of the open space.

2. Unless otherwise permitted by East Lampeter Township. the area designated as open space shall comply with the following specifications:

a. No more than fifty (50) percent of the required open space area shall be located on lands within areas that are located within the 100-year floodplain, areas delineated as wetlands and/or areas exceeding twenty-five (25) percent in slope.

b. No more than fifty (50) percent of the required open space area shall include land areas that are burdened by or are proposed to contain utilities easements and/or stormwater management facilities.

c. At least twenty-five (25) percent of the required open space area shall be designated and improved to accommodate recreation uses for the residents of the development.

d. The total land area designated to comply with the minimum open space requirements shall be comprised of areas not less than fifty (50) feet in width and shall not contain less than one (1) contiguous acre of land.

e. There shall be at least one (1) designated common area that is contiguous within the development containing no less than twenty-five (25) percent of the required open space.

3. The open space shall be planned and located as a contiguous accessible area within the development. Existing and/or proposed roads may bisect the areas designated as open space, provided a cross walk at grade is safely designed to link the open space areas. Planned linkages to other open space areas, preserved lands, recreation areas and/or natural features shall be considered as part of the special exception application.

4. For all open spaces, satisfactory written agreements approved by East Lampeter Township shall be executed as a declaration of easements, covenants and restrictions in perpetuity for the preservation of the open space, and shall be recorded with the approved plan.

5. The applicant shall make arrangements, provisions and/or agreements to insure that the open space shall continue to be adequately managed and maintained. The applicant shall retain ownership of the land encompassing the open space areas.

6. The provisions specified herein for open space do not relieve the applicant of other requirements for open space and recreation, as specified by East Lampeter Township. The applicant shall be responsible for all requirements for recreation impact fees associated with this development.

7. The perimeter of the multi-family dwelling units shall be adequately screened with a fifteen (15) foot wide landscaped strip or buffer yard, which shall comply with the Subdivision and Land Development Ordinance.

Section 23500: Municipal Use

A. Municipal use, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1 Municipal uses shall be permitted as a principal or accessory use by right within the C-1, C-2, C-3, I-1, I-2, BP and MU Zoning Districts.

2 Municipal uses shall be permitted as a principal or accessory use by special exception within the AG, R-1, R-2, R-3, BH, VG, VC and VR Zoning Districts.

Section 23500: Municipal Use															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right					P, A	P, A	P, A	P, A	P, A	P, A	P, A				
Special Exception	P, A	P, A	P, A	P, A								P, A	P, A	P, A	P, A
Conditional Use															
P = Principal Use				A = Accessory Use											

B. The chart contained under Section 23500.A of this Zoning Ordinance has been provided as a general reference guide. Section 23500 and the underlying zoning district provide specific regulations for municipal use.

C. Area and Utility Requirements: The following general provisions shall apply to municipal use:

1. The municipal use shall be located on a lot, parcel of land or lease area.

2. The municipal use shall be capable of being served by public or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. The municipal use shall be capable of being served by public water supply facilities (where available) or by on-lot water supply facilities, which shall be consistent with approved plans and ordinances.

4. Municipal uses not intended for occupancy shall not be required to provide sanitary sewage disposal facilities and/or water supply facilities.

5. All other utility provisions serving the municipal use shall be planned and installed in accordance with the specifications of the public utility provider supplying service.

Section 23510: Museum

A. Museum, as defined under Section 2020, shall be permitted as a principal use by right within the C-1, C-2, C-3, BP, MU, BH, VG and VC Zoning Districts.

Section 23510: Museum															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right					P	P	P			P	P	P	P	P	
Special Exception															
Conditional Use															
P = Principal Use			A = Accessory Use												

B. The chart contained under Section 23510.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23510 of this Zoning Ordinance and the underlying zoning district provides specific regulations for museum.

C. Permitted Uses: The following principal and accessory uses shall be permitted within a museum:

1. The principal use shall be the museum.

2. Subordinate or accessory uses within a museum shall be limited to: administrative offices; meeting rooms; conference rooms; work stations; library, child care facilities; and/or other similar uses. The cumulative gross floor area or occupied space area for all such accessory uses shall not occupy more than ten (10) percent of the gross floor area or occupied space area of all uses within the museum. The permitted accessory uses shall directly benefit the visitors or patrons of the museum.

3. The uses described within Section 23510.C.1 and 23510.C.2 of this Zoning Ordinance shall not be permitted outside of the building occupying the museum.

4. A museum may contain temporary or seasonal displays to promote public education and information relative to historic resources, artifacts and events that could benefit the community.

D. General Requirements: The following general provisions shall apply to museum:

1. The museum shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The museum shall be serviced by public water supply facilities (where available) or by on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the museum shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company providing service, the utility services and connections shall be installed underground.

Section 23520: Nursery

A. Nursery, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. A nursery shall be permitted as a principal or accessory use by right within the AG, VG and VC Zoning Districts.

2. A nursery shall be permitted as an accessory use by right within the AG Zoning District, provided that the nursery is an accessory or subordinate use to an agricultural operation.

3. A landscape business office, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as an accessory use by special exception within the AG Zoning District.

Section 23520: Nursery															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right	P, A 1												P, A 1	P, A 1	
Special Exception	A 2														
Conditional Use															
P = Principal Use				A = Accessory Use				1 = Special Lot Size and Building Requirements							
2 = Landscape Business Office permitted by Special Exception															

B. The chart contained under Section 23520.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23520 of this Zoning Ordinance and the underlying zoning district provides specific regulations for greenhouses.

C. Permitted Uses: The following principal and accessory uses shall be permitted as part of a nursery:

1. The principal use shall be the nursery, which shall be considered as a commercial operation devoted to the raising and/or selling of trees, ornamental shrubs, flowers, houseplants, and vegetable plants for transplanting wherein the preponderance of the growing operation is out-of-doors.

2. A landscaping business office may be permitted as an accessory use by special exception within the AG Zoning District, subject to the following requirements:

a. The nursery and the landscaping business office shall both be under the same ownership.

b. The use of a landscaping business office shall be associated with and secondary to the principal use, which shall be designated as the nursery.

c. The landscape business office use shall occupy the same office space occupied by the office occupied by the nursery.

d. The appearance of the property shall be and remain that of a nursery with related accessory uses, except one (1) sign related to the landscape business office, which shall be permitted in accordance with the sign regulations specified by this Zoning Ordinance.

e. The employees, staff, motor vehicles and equipment for the nursery and the landscape business office shall be shared by both the nursery and landscaping business office. The parking of motor vehicles, storage of equipment and materials, and all other requirements shall comply with the applicable provisions of this Zoning Ordinance for the nursery use shall be met by the combined use

3. Retail sales of nursery products grown or raised on the parcel of land occupied by the nursery may be permitted as an accessory use to the nursery. The retail sales area shall be located within a conforming building, which shall not exceed one thousand (1,000) square feet in gross floor area.

4. A "nursery" shall not be classified as a "greenhouse, commercial." or a "commercial greenhouse", which is a permitted use in accordance with the provisions specified under Section 23330 of this Zoning Ordinance

D. Area and Utility Requirements: The following general provisions shall apply to a nursery:

1. The minimum land area required for a nursery shall be five (5) acres.

2. The nursery shall be serviced by public or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan.

3. The nursery shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. All other utility provisions serving the nursery shall be planned and installed in accordance with the specifications of the public utility provider supplying service.

E. Setback Requirements: The following specific setback requirements shall apply to a nursery:

1. The building or structures utilized as part of the nursery shall be located at least one hundred (100) feet from all street rights-of-way lines and property lines.

2. All external storage areas, display areas or open areas utilized as part of the nursery shall be located at least fifty (50) feet from all street rights-of-way lines and property lines.

3. All buildings, structures, external storage areas and/or open areas utilized as part of the nursery shall be located at least fifty (50) feet from any land or water areas considered to be floodplains, perennial streams, intermittent streams, surface waters, wetlands, water supply wells, and slopes exceeding twenty-five (25) percent in grade.

4. All buildings, structures, external storage areas and/or open areas utilized as part of the nursery shall be located at least two hundred (200) feet from a residential dwelling, except for the residential dwelling on the property on which the nursery is located.

5. All buildings, structures, external storage areas and/or open areas utilized as part of the nursery shall be located at least one hundred (100) feet from a residential dwelling located on the same property.

6. No more than twenty (20) percent of the lot shall be covered by buildings.

7. No more than thirty (30) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving,

8. The maximum height of any building or structure shall be fifty (50) feet, as measured from the average ground elevation to the highest point of the building or structure.

9. All other building and/or structures that are not utilized for nursery shall comply with the setback requirements of the zoning district on which the nursery is located.

Section 23530: Off-Track Betting Facility or Gaming Facility

A. Off-track betting facility or gaming facility, as defined under Section 2020 of this Zoning Ordinance, shall be permitted by conditional use within the C-3 Zoning District.

Section 23530: Off-Track Betting Facility or Gaming Facility															
Zoning District and Article Number	A	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right															
Special Exception															
Conditional Use							P								
P = Principal Use			A = Accessory Use												

B. The chart contained under Section 23050.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23050 of this Zoning Ordinance and the underlying zoning district provides specific regulations for off-track betting facility or gaming facility.

C. Permitted Uses: The following principal and accessory uses shall be permitted:

1. The principal use shall be the off-track betting facility or the gaming facility.

2. Subordinate or accessory uses shall be limited to: administrative offices; concession stands; restaurants, entertainment uses; amusement arcades; and/or other similar uses. The cumulative gross floor area or occupied space area for all such accessory uses shall not occupy more than thirty (30) percent of the cumulative gross floor area or occupied space area of all uses within the off-track betting facility or gaming facility. The accessory uses shall be considered subordinate uses that directly benefit the customers or patrons of the off-track betting facility or gaming facility.

3. Any addition, modification, alterations or change of use shall be permitted if a conditional use application has been approved by East Lampeter Township.

D. Proximity Requirements: The following minimum spacing and proximity requirements shall apply:

1. An off-track betting facility or gaming facility shall not be located within one thousand (1,000) feet of any other separately deeded lot containing an off-track betting facility or gaming facility. The separation distance between any two (2) such facilities shall be measured in a straight line, without regard to intervening structures, from the closest points on each of the exterior lot lines of the separately deeded lots upon which each facility is located.

2. An off-track betting facility or gaming facility shall not be located within one thousand (1,000) feet of any land area contained within the R-1, R-2, R-3, MU, BH, VG, VC and VR Zoning Districts. The separation distance shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior lot line of the separately deeded lot on which the off-track betting facility or gaming facility is located to the closest point of the boundary line of any of the specified zoning districts.

3. An off-track betting facility or gaming facility shall not be located on the same separately deeded lot as or located within one thousand (1,000) feet of any separately deeded lot which contains any one (1) or more of the following uses:

   a. Amusement Park;

   b. Campgrounds,

   c. Community Center for a Residential Development;

d. Day Care Facility;

e. Library;

f. Museum;

g. Orphanage;

h. Place of Worship;

i. Recreation Use;

j. School;

k. Other land areas where minors congregate

4. The distance between any off-track betting facility or gaming facility and any of the uses specified under Section 23530.D.3 shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior lot line of the separately deeded lot on which the off-track betting facility or gaming facility is located to the closest point on the exterior lot line of the separately deeded lot on which the specified use is located.

5. No more than one (1) off-track betting facility or gaming facility may be located within one (1) building or be located on the same separately deeded lot.

E. General Requirements: The following general provisions shall apply to an off-track betting facility or gaming facility:

1. Off-track betting facility or gaming facility shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. Off-track betting facility or gaming facility shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the off-track betting facility or gaming facility shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the authority providing service, the utility services shall be installed underground

4. All principal and accessory uses associated with the off-track betting facility or gaming facility shall be conducted within an enclosed building that complies with the appropriate building code requirements for a commercial and/or industrial establishment within East Lampeter Township.

5. The architectural features or building facade for the uses within the off-track betting facility or gaming facility shall be harmoniously planned as a unified development. As part of the conditional use application, the applicant or developer shall identify the non-residential uses and demonstrate how these uses can be amicably planned considering their architectural appearance.

6. The applicant shall furnish evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, noise, light, dust, smoke, litter and pollution.

7. Outdoor storage of materials and equipment shall not be permitted.

8. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

9. The primary points of ingress and egress to the conference or off-track betting facility or gaming facility shall be along a collector or arterial street.

10. The requirements for off-street parking will be determined based upon a combination of permitted uses contained within the off-track betting facility or gaming facility and the compliance chart specified by this Zoning Ordinance. As part of the conditional use, East Lampeter Township may permit overflow parking on designated lawn areas in accordance with the following criteria:

    a. The overflow parking area shall only be utilized in order to accommodate the parking demand during peak events at the off-track betting facility or gaming facility.

    b. The overflow parking area shall be accessible only from the interior driveways or access lanes for the parking facility, which shall be located, designed and fenced to prevent motor vehicles from crossing adjoining properties or directly accessing public roads.

    c. Soil erosion, sedimentation control, and stormwater runoff shall be managed in accordance with all applicable laws and regulations.

    d. If East Lampeter Township determines that traffic congestion is occurring along adjoining roads, and that the traffic congestion is directly related to the size or design of the overflow parking area, East Lampeter Township shall require the landowner, manager or applicant to revise and re-design off-street parking facilities in order to resolve the traffic congestion problem and/or provide additional on-site parking spaces to accommodate the parking demand during peak events or for the combination of events at the off-track betting facility or gaming facility.

11. Pedestrian access improvement via sidewalks, crosswalks and/or pathways shall be developed as part of the land development plan.

F. Permits: Prior to use and occupancy of the off-track betting facility or gaming facility, the landowner or applicant shall obtain all required local, state and federal permits for the use. As part of the conditional use application, the landowner or applicant shall provide a schedule of application and implementation for securing such permits.

Section 23540: Office

A. Office, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as a principal use by right within the C-1, C-2, I-1, I-2, BP, MU, BH, VG and VC Zoning Districts.

Section 23540: Office															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right					P	P		P	P	P	P	P	P	P	
Special Exception															
Conditional Use															
P = Principal Use					A = Accessory Use										

B. The chart contained under Section 23140.A of this Zoning Ordinance has been provided as a general reference guide. Section 23540 and the underlying zoning district provide specific regulations for an office use.

C. Permitted Uses: The following terms and land use provisions shall apply to an office:

1. An office shall be considered as a defined space within a principal building, which is generally occupied by employees, equipment and supplies in order to facilitate the functions of subordinate office categories, including: business offices; financial offices; professional offices; executive offices; management offices; municipal offices; governmental offices; and/or similar types of office uses.

2. An office, as a permitted principal use may include: offices; meeting rooms; conference rooms; work stations; cafeterias; vending machines; snack bars; private or restricted recreational uses; and/or other similar uses, as determined appropriate by East Lampeter Township.

3. An office, as a permitted accessory use shall only be utilized and occupied in order to facilitate the designated principal use on the property.

D. General Requirements: The following general provisions shall apply to an office:

1. The office shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The office shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving office shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

Section 23550: Optional Design Incentive Development

A. Purpose and Intent: Section 23550 is hereby established to consider the following purpose and objective statements:

1. The purpose of the Optional Design Incentive Development (ODI Development) standards is to accommodate the medium density residential and traditional neighborhood development land use designation contained within the Comprehensive Plan. Optional Design Incentive Development standards provide a density bonus in order to encourage a preferred development pattern.

2. Pursuant to the provisions of the Pennsylvania Municipalities Planning Code, this provision provides an optional set of design standards that can only be applied to property located within the R-2 Zoning District. These optional design standards seek to achieve a well planned and coordinated residential neighborhood.

3. All of the design standards of this provision are vital to achieve the desired community atmosphere. While some of the requirements deal with issues that typically transcend zoning jurisdiction, they are provided as design options, and are, therefore, considered to be voluntarily self-imposed by prospective developers, but enforceable by East Lampeter Township.

B. Optional Design Incentive Development (ODI Development), as defined under Section 2020 of this Zoning Ordinance, shall be permitted by conditional use within R-2 Zoning District.

Section 23530: Optional Design Incentive Development															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right															
Special Exception															
Conditional Use			P 1												
P = Principal Use			A = Accessory Use					1 = Special Design and Development Requirements							

C. Conditional Use Criteria: The following general provisions shall apply to the conditional use criteria:

1. The conditional use shall adhere to the following development objectives:

a. Orient toward pedestrian activity;

b. When possible, integrate local businesses and trades to enhance resident convenience and offer limited employment opportunities;

c. Incorporate natural features and undisturbed areas into the open space;

d. Coordinate a transportation system with a hierarchy of appropriately designed facilities for pedestrians, bicycles, public transit and automotive vehicles;

e. Create landmark symbols and focal points, with buildings, open spaces and other visual features for community identity;

f. Coordinate building and other improvements to establish a livable, harmonious and diverse environment;

g. Ensure a diversity of housing types, sizes and costs with particular emphasis on scattered-site, affordable housing opportunities;

h. Make efficient use of local infrastructure and services;

i. Reflect the historic and traditional building styles abundant within the region; and

j. Blend all of these above described features in a way that promotes community identification and a "sense of belonging" for the residents.

2. A minimum lot area of eight (8) acres shall be required in order to propose an ODI Development.

3. The development shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

4. The development shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

5. All other utility provisions serving the development shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services shall be installed underground.

D. Opportunity for Innovation and Flexibility: The intent of these provisions is to encourage innovative methods of design and to utilize flexibility, economy and ingenuity in the development. East Lampeter Township may permit the developer to modify the design standards according to Section 23550.U of this Zoning Ordinance.

E. Relationship to Other Ordinances and this Zoning Ordinance: To the extent the provisions of the Optional Design Incentive standards differ (are more or less restrictive) from other ordinances and regulations adopted by East Lampeter Township, the provisions of the Optional Design Incentive standards shall govern unless specifically stated otherwise within Section 23550 of this Zoning Ordinance. All non-conflicting provisions of the Zoning Ordinance and other ordinances and regulations adopted by East Lampeter Township shall remain in full force.

F. ODI Development Uses Defined: For the exclusive purpose of Section 23550 of this Zoning Ordinance, dwelling types are hereby defined as follows:

1. Single-family detached dwelling: A dwelling within a building, unattached to any other dwelling and containing one (1) dwelling unit.

2. Single-family semi-detached dwelling: A dwelling within a building containing two (2) dwelling units which share a vertical common wall.

3. Townhouse dwelling: A dwelling within a building containing at least three (3) and not more than eight (8) dwelling units arranged in a side by side configuration where each dwelling, except for end units (defined below), shares two (2) vertical common walls.

a. Townhouse end unit: A type of townhouse dwelling that caps an end to a townhouse building, which shares a vertical common wall with a townhouse dwelling on one side and has an external vertical wall on the other side.

b. Townhouse interior unit: A type of townhouse dwelling that is not a townhouse end unit.

4. Multi-family dwellings: Dwellings within a building containing at least three (3) and not more than twelve (12) dwellings, which are separated horizontally by floors and ceilings and vertically by common walls and dwellings located on the second floor of a locally oriented business building separated horizontally from locally oriented businesses by floors and ceilings and vertically from other multi-family dwellings by common walls.

G. Permitted Uses: The following uses shall be permitted within an ODI Development:

1. Single-family detached, single-family semi-detached, townhouse and multi-family dwellings.

2. Private, municipal and restricted recreational facilities, including parks, playgrounds, community buildings and picnic areas.

3. Community center, subject the provisions specified under Sections 23160 23550 of this Zoning Ordinance.

4. Accessory buildings and uses which are customarily incidental to a permitted use within an Optional Design Incentive development.

5. The following locally oriented businesses, but only on property that fronts upon an arterial street or major collector street:

a. Banks, including outdoor tellers if pedestrian oriented and similar financial institutions, provided that no drive through facilities are provided;

b. Barber, beauty, tanning and health salons;

c. Delicatessens, bakeries, ice cream shops and caterers. No drive-through facilities are permitted for any of these uses.

d. Retail sales and/or rental of goods, such as, but not limited to, antiques, apothecaries, recorded music and video materials, books, clothing, dry goods, flowers, fresh and packaged food, furniture, gifts, hardware, jewelry, newspapers, notions, personal and household supplies, photographic supplies, sporting goods, stationary, and tobacco products and excluding gasoline and motor fuel dispensing facilities)

e. Restaurants and other places serving food and beverages provided that no drive through facilities are provided;

f. Photographic, music, art and dance studios;

g. Medical, dental, vision care and counseling clinics;

h. Repair of clocks, jewelry, cameras, electronics and small household appliances; and

i. Tailors, off-site dry cleaning and shoe repair services.

H. Required Mix and Integration of Dwellings: A variety of single-family detached, single-family semi-detached, townhouse and multi-family dwellings shall be integrated into the plan. The required mix of dwellings shall comply with the following requirements:

1. ODI Development containing eight (8) to twenty (20) acres in size shall contain a minimum mix of three (3) dwelling types; no one dwelling type shall be less than ten (10) percent of the total number of dwellings; and no one dwelling type shall be greater than forty (40) percent of the total number of dwellings in the development.

2. ODI Developments containing over twenty (20) acres in size shall contain a minimum mix of four (4) dwelling types; three (3) of the dwelling types, including single-family dwellings, shall each be at least ten (10) percent of the total number of dwellings in the development; and no one dwelling type shall be greater than forty (40) percent of the total number of dwellings in the development.

3. If the ODI Development is to be constructed in phases, the mix of residential dwelling types required shall be based upon the overall plan for the development. However, each phase of the development, except for the final phase, shall contain a minimum mix of at least two (2) dwelling types, each of two (2) of these dwelling types shall comprise at least thirty (30) percent of the total number of dwellings within that phase of the development.

4. The minimum size for each phase of the ODI Development shall be eight (8) acres.

I. Locally Oriented Business Intensity: The following provisions shall apply to locally orientated businesses contained within the ODI Development:

1. Locally oriented businesses are only permitted with property fronting along an arterial street or major collector street.

2. Locally oriented businesses shall not exceed a gross floor area for all businesses located within the development of fifty (50) square feet of gross floor area for each dwelling unit located within the development.

3. The locally oriented business uses shall be integrated into the vehicular and pedestrian circulation of the development and shall not have a separate direct access onto an arterial street or major collector street.

4. If the development is constructed in phases, the intensity of the locally oriented business uses is determined based upon the entire development. Individual phases may differ from the required mix of locally oriented business uses, however floor area for locally oriented businesses constructed during any phase of development shall be limited to one-hundred (100) square feet of gross floor area for the sum of the number of dwelling units already approved and recorded plus those proposed in that phase.

5. Buildings contained locally oriented businesses shall include multi-family dwellings on the second floor of the building which shall cover at least seventy-five (75) percent of the gross ceiling area of the locally oriented business space.

J. Residential Design: The following design requirements shall apply to the permitted residential uses contained within the ODI Development:

1. The maximum residential density shall be eleven (11) dwelling units per acre of lot area with the coordinated architectural scheme required in Section 23550.O of this Zoning Ordinance. For purposes of the density calculation of the ODI Development, lot area shall exclude the following: existing street rights of way, floodplains, wetlands and slopes exceeding twenty-five (25) percent

2. No phase, in combination with previously constructed phases, of the development shall exceed the overall density permitted under Section 23550.J.1 of this Zoning Ordinance.

3. No minimum or maximum lot area is required for individual residential dwellings; however, the applicant shall demonstrate that sufficient area is provided for the anticipated building footprint.

4. Open space is required in the form of parks, squares, plazas, greenways and / or the expansion of adjacent existing public open space lands. Open space shall conform to the requirements of Section 23550.P of this Zoning Ordinance.

5. No more than twelve (12) dwelling units shall be located in one (1) building and no building shall exceed the length or depth of one hundred and fifty (150) feet.

6. The lot width and setback requirements are specified in the following chart::

ODI Development Uses: Lot Width and Setback Requirements				
Permitted Residential Use	Lot Width	Front Yard	Side Yard	Rear Yard
Single-family detached dwelling units	32 feet	10 feet	6 feet on each side	18 feet
Single-family semi-detached dwelling units	28 feet per unit	10 feet	6 feet on open or end side	18 feet
Townhouse dwelling units	16 feet per unit	10 feet	6 feet on open or end side	18 feet
Multi-family dwelling units	45 feet	10 feet	6 feet on open or end side	18 feet

7. The following provisions shall specifically apply to the lot width and setback requirements established under Section 23350.J of this Zoning Ordinance.

   a. No residential dwelling shall be setback more than twenty (20) feet from the street right-of-way.

   b. Front yards located along streets shall be measured from the street right-of-way line. Front yards located along access drives shall be measured from the edge of the cartway.

   c. The porch area of a dwelling may encroach eight (8) feet into the front yard. All porches, which shall be open and unenclosed except for a roof or awning, shall be set back a minimum of five (5) feet from the edge of any cartway.

   d. Bay windows are permitted to extend two (2) feet into the front yard.

   e. Front yards located along an arterial, major collector or minor collector street shall conform to the requirements of Section 22210 (Setback Requirements) of this Zoning Ordinance.

   f. Rear garage walls, which is the wall of any garage closest to the alley cartway, may be located eight (8) feet from the alley cartway but shall not be closer than twenty-four (24) feet from the opposite (farthest away) edge of the alley cartway.

   g. Gutters, eaves, cornices and stoops shall be setback a minimum of three (3) feet from all property lines (except for property lines shared by townhouse or semi-detached dwellings).

8. The maximum lot coverage requirements shall be as follows:

   a. The maximum lot coverage for a single-family detached dwelling shall be seventy (70) percent.

   b. The maximum lot coverage for a single-family semi-detached dwelling shall be seventy-five (75) percent.

   c. The maximum lot coverage for a townhouse shall be eighty (80) percent.

   d. The maximum lot coverage for multi-family dwellings shall be seventy (70) percent.

9. In those instances where more than one (1) building is located on the same lot, the following separation distances will be provided between each building:

   a. Location aligned parallel or at an angle less than thirty (30) degrees:

      Front to Front: twenty-five (25) feet

      Rear to Rear: twenty-five (25) feet

      Front to Rear: twenty-five (25) feet

      Front or Rear to Side: twenty-five (25) feet

Side to Side: twelve (12) feet

b. Locations aligned at an angle greater than thirty (30) degrees

Front to Front: fifteen (15) feet

Rear to Rear: fifteen (15) feet

Front to Rear: fifteen (15) feet

Front or Rear to Side: fifteen (15) feet

Side to Side: eight (8) feet

10. No less than seventy-five (75) percent of the buildings shall have their front façade facing a street or access drive.

11. No more than three (3) horizontally contiguous dwelling units in any one (1) building shall have the same front yard depths. A minimum variation of setback shall be four (4) feet.

12. Required off-street parking shall be located at or behind the front façade of the building it is intended to serve and shall be set back a minimum of two (2) feet from one of the side lot lines.

13. Off-street parking shall have direct vehicular access by way of an alley or a joint-use driveway to a street or an access drive.

14. A joint-use driveway shall access no more than four (4) dwellings.

15. Semi-detached accessory vehicle parking garages shall be permitted provided that such semi detached accessory vehicle parking garages comply with the requirements for accessory vehicle parking garages set forth in Sections 23550.K and 23550.N. of this Zoning Ordinance, except that semi-detached accessory vehicle parking garages shall have a minimum side yard setback of two (2) feet.

K. Locally-Oriented Business Design: The following design requirements shall apply to locally-orientated residential uses contained within the ODI Development

1. Location shall be convenient to the residential uses and shall have driveway access only from within the development's interior street system and not onto an arterial or major collector street or any other existing public road.

2. No building footprint shall comprise more than thirteen thousand (13,000) square feet of floor area.

3. An integrated system of sidewalks and / or pedestrian pathways shall be provided, so that inhabitants of the development and adjoining neighborhoods to be served will have safe and convenient pedestrian access.

4. A passive open space area shall be incorporated into the locally-oriented business area. The open space area shall consist of pedestrian path lamp posts, trash receptacles, shade tree beds, pedestrian benches and similar amenities that adjoin public space or above ground storm water facilities.

5. The minimum lot width at the street frontage shall be twenty (20) feet.

6. The minimum building setbacks are as follows:

a. The minimum front yard setback shall be ten (10) feet.

b. No setback requirement shall be applied for an interior yard located between locally-oriented business buildings.

c. Yards adjoining residential buildings and/or lots shall have a minimum setback of twenty-five (25) feet.

7. The following provisions shall apply to the setback requirements specified under Section 233550.K.6 of this Zoning Ordinance:

a. Front yards along streets shall be measured from the street right of way line. Front yards along access drives shall be measured from the edge of the cartway.

b. Front yards along arterial, major collector and minor collector streets shall conform to the requirements of Section 22210 (Setback Requirements) of this Zoning Ordinance.

c. No more than thirty (30) percent of the buildings may have a front yard depth greater than the required front yard depth.

8. No locally oriented business shall be located on the same lot as a residential use, except for the second floor of multi family dwellings required under Section 23550.I.5. In no case shall more than seventy (70) percent of the locally oriented business lots be covered with buildings, streets, sidewalks and / or other impervious surfaces with the exception that up to seventy-five (75) percent of the locally oriented business lots may be covered with buildings, streets, sidewalks and / or other impervious surfaces where at least fifty (50) percent of the off-street parking serving the locally oriented business uses is located behind the front façade of the building(s).

9. Vehicular access shall be established from a permitted access drive directly to the street, which shall meeting the following requirements:

a. The setback at least twenty (20) feet from the street right-of-way line of any intersecting street.

b. The setback at least five (5) feet from any fire hydrant.

10. Off-street parking and loading shall comply with the following setback requirements:

a. The setback at least three (3) feet from property lines of locally oriented businesses, unless shared parking and / or loading with an adjoining commercial use property.

b. The setback at least twenty (20) feet from property lines of residential uses; and

c. Screened and landscaped shall be required in accordance with the provisions established by this Zoning Ordinance and the Subdivision and Land Development Ordinance.

11. Outdoor trash receptacles shall comply with the following setback requirements:

a. The outdoor trash receptacles shall located at the rear of the building.

b. The outdoor trash receptacles shall be setback at least thirty (30) feet from a property line.

c. The outdoor trash receptacles shall be completely enclosed within masonry or “sight tight” fenced enclosure equipped with a self latching door or gate.

12. Unless otherwise permitted, no outdoor storage shall be permitted within the ODI Development.

L. Principal Building Height: The following provisions shall apply to building height:

1. All principal buildings with a height in excess of forty-four (44) feet shall be set back from the side property lines, rear property line and adjacent buildings an additional one (1) foot for every two (2) feet or fraction thereof in height. Principal buildings shall not exceed three (3) stories.

2. Around the perimeter of the development parent tract, building height is limited to thirty-five (35) feet maximum if the building is within one-hundred (100) feet of the property line of the development parent tract.

M. Maximum Coverage: The following provisions shall apply to lot coverage:

1. In no case shall more than seventy (70) percent of the ODI Development be covered with buildings, streets, sidewalks and / or other impervious surfaces.

2. Section 23550.J.8. of this Zoning Ordinance contains the maximum lot coverage for permitted residential uses within the ODI Development.

3. Any portion of the site not covered with impervious material shall be maintained with a vegetative ground cover and / or other ornamental plantings.

N. Accessory Buildings: The following provisions shall apply to accessory buildings within the ODI Development:

1. Accessory buildings, other than vehicle parking garages, shall not exceed a gross floor area of two-hundred (200) square feet.

2. Accessory buildings shall be located at least fifteen (15) feet behind the front façade of the principal building.

3. Accessory buildings shall be set back four (4) feet from the side and rear property lines.

4. Accessory buildings, other than vehicle parking garages, shall not exceed one story or ten (10) feet in height unless compliance with the provisions established under Section 23550.N.5 of this Zoning Ordinance has been achieved.

5. Accessory buildings, other than vehicle parking garages, may exceed ten (10) feet in height but in such instances shall be set back from all side and rear property lines an additional one (1) foot for every two (2) feet or fraction thereof that these accessory buildings exceed ten (10) feet in height to a maximum of twelve (12) feet in height.

6. There shall be a limit of one (1) accessory building per residential property.

7. All buildings on non-residential properties shall be considered to be principal buildings.

8. Accessory vehicle parking garages shall not exceed one (1) story or fifteen (15) feet in height and shall not exceed six-hundred (600) feet of gross floor area. There shall be a limit of one (1) accessory vehicle parking garage on each residential lot.

O. Architectural Design Requirements: The following provisions shall apply to the architectural design requirement for the ODI Development:

1. A coordinated architectural scheme is required. It is not the intent of East Lampeter Township to dictate architectural styles, however, a set of standards shall be chosen by the applicant and adhered to consistently throughout the development. Standards selected shall enhance the purpose and intent, as specified by Section 23550 A of this Zoning Ordinance.

2. The application shall include a report, prepared by an architect, registered within the Commonwealth of Pennsylvania, with textual and graphic building descriptions, denoting the features that will be incorporated into all building designs. The report shall include the following:

a. Building elevation(s), drawn to scale, for the front, side and rear elevations of each building and dwelling type. The elevations of all building and dwelling types, including accessory building types, shall include: building height dimension; number of stories noted; building skin and trim materials.

b. Material samples and color boards illustrating the color, texture, size of each skin material to be utilized within the ODI Development

c. Written outline specifications denoting the roofing specification, mechanical insulation performance, general construction characteristics and manufacturer's specifications and sheets on windows, doors and garage doors, gutters, specialty trim, columns and railings.

d. Non-structural site improvements (buffering, landscaping and screening) that will be utilized to protect the integrity of the neighborhood shall be described.

3. The architectural criteria for an ODI Development shall be as follows:

a. There are a variety of architectural styles appropriate to the overall architectural character of the development. The architectural styles used shall be compatible and complementary to one another and the surrounding community. Classic design styles are encouraged but not required.

b. The character of the architecture on the street will reinforce pedestrian scale and have a varied look.

c. All building and dwelling types will have street elevations detailed at a quality level consistent with the most expensive type selected for the development.

d. On gable roofs, only architectural grade shingles, metal roofing or approved specialty shingles may be used.

e. At least seventy-five (75) percent of all garage doors shall face an alley or access drive. Vehicular access to and from at least seventy-five (75) percent of all dwellings shall be from an alley and / or access drive. The only dwellings that may have vehicular access to a street are single family dwellings and in all such instances the garage door must be recessed at least ten (10) feet from the front façade of the dwelling or be perpendicular to the street being accessed.

f. Windows shall be compatible in style, scale, proportion, and trim with the architectural vernacular being used.

g. Window mullions, if used, must be true divided light or applied to the glass surface.

h. Shutters may be used when appropriate to the style and window. Shutters shall be sized to match the window opening. Shutters used for ganged windows are inappropriate.

i. Building and mechanical equipment, but specifically excluding utility meters, shall not be located on the front façade of a building and shall be visually shielded from the public street. Utility meters should not be located on the front façade of a building, but may be so located if they are completely shielded from view from adjoining properties and /or streets.

j. Entries and porches shall be consistent with the design vernacular. Entries shall face streets to the extent possible, and be clearly visible within the building façade design. Entryways may not be recessed more than two (2) feet from the façade of the building.

k. The primary entrance of a dwelling shall be appropriately scaled to the overall massing of the building. Porches are an outdoor extension of the living space of the house and shall be at least six (6) feet in depth to provide an adequate depth for seating and circulation to and from the dwelling. Wrap around porches are an excellent way to capture prominent views, maximize a corner lot condition and extend the outdoor living space and are therefore encouraged.

l. At least thirty (30) percent of all dwellings within the ODI Development that face or front Street Types A and B (refer to Section 23550.Q.3) shall have a porch.

m. No more than two (2) façade material types per dwelling shall be visible on any exterior wall, excluding foundations and piers of the building. If all facades of any one dwelling are to be constructed of only one (1) façade material, the material used must be a wood siding or clapboard,

or a masonry material or masonry materials, such as brick, stone or stucco. If the façade of any exterior building wall includes an exposed material located below the first floor level of the living area, this material shall not be considered to be one of the façade materials considered in this requirement.

n. Compatible colors, value and tone must be used on adjacent buildings. If a traditional architectural theme is used, the colors should be consistent with the architectural style.

o. The main doorway entrance for a least seventy-five (75) percent of the residential buildings shall face a street or access drive.

p. Fences and walls located along the frontage shall complement the architectural theme of the buildings and form continuous, cohesive enclosures along the street.

q. There may be a predominance of a quality and quantity of landscaping, although emphasis herein shall be with the amounts and continuity of landscaping. Landscaping within the development shall comply with all applicable landscape requirements of the zoning ordinance and the subdivision and land development ordinance where such requirements are not in conflict with the specific provisions of this Section.

r. In addition to the architectural design requirements specified under this section of the Zoning Ordinance, the design provisions relating to architectural relief and features that are further specified within the East Lampeter Township Subdivision and Land Development Ordinance shall be applied within the ODI Development. Should a conflict exist, the design requirements specified under this section of the Zoning Ordinance shall be utilized.

s. Architectural renderings, elevations and building plans shall be submitted as a component of the conditional use application and land development plan application. All such documentation shall be subject to the review and approval by the Board of Supervisors.

t. Architectural design guidelines shall be reviewed and approved by the East Lampeter Township Solicitor and be recorded in order to impose covenants and conditions upon the property.

P. Open Space Design Requirements: The following provisions shall apply to the requirements of open space within the ODI Development:

1. A minimum open space area of fifteen (15) percent of the development shall be designated as open space, which shall comply with the following general criteria:

a. The designated open space area shall exclude the area within existing street rights-of-way

b. The open space area shall be credited against the required open space dedication in the subdivision and land development ordinance. The remaining mandated open space shall be provided according to the subdivision and land development ordinance.

c. No portion of the required open space is permitted to be located in the required perimeter buffer or building setback area of the development.

d. All open space within a development shall include features that serve as focal points for the project, are designed to complement the architecture of the development and enhance the pedestrian scale of the community.

2. The required open space within the ODI Development shall be in the form of a greenway, park, plaza or square that complies with the following criteria:

a. Greenway: A series of connected open spaces that may follow natural features such as ravines, creeks or streams and consisting of paved paths and trails, lawns, trees, open shelters, or recreational facilities. A greenway may be used for a maximum of thirty (30) percent of the required open space. A greenway shall have a width of not less than twenty-five (25) feet.

b. Park: An open space area that is available for active and passive recreation, consisting of paved paths, trails, lawns, trees, open shelters and recreation facilities such as playgrounds, courts and sport fields. Any open space area which equally meets the definition of Greenway, Plaza or Square cannot be considered to be a park. Recreation facilities that are provided within a community building may be considered to be a park or a portion of a park. A park shall be at least forty thousand (40,000) square feet in size and be at least one-hundred and twenty-five (125) feet wide at its most narrow point. Ninety (90) percent of the land area designated as a park shall contain a slope that does not exceed five (5) percent.

c. Plaza: Open space set aside for residential community purposes consisting of durable pavement, landscaping, fountains and formal tree plantings. A plaza must adjoin building lots, including building lots across a street within the ODI Development, which shall be along at least fifty (50) percent of its perimeter. A plaza must be at least sixty (60) feet wide at its most narrow point and contain a minimum of five thousand (5,000) square feet. The maximum slope of the land area designated as a plaza shall not exceed five (5) percent.

d. Square: Open Space that may encompass an entire block, located at the intersection of streets, set aside for residential community purposes. Squares consist of paved walks, lawns, trees, benches, fountains and open shelters. A square must adjoin streets within the ODI Development, which shall be along at least fifty (50) percent of its perimeter. A square shall be at least twenty-thousand (20,000) square feet in size and be at least seventy-five (75) feet wide at its most narrow point. The maximum slope of the land area designated as a square shall not exceed five (5) percent.

e. The areas designated as open space shall be designed to provide pedestrian access via sidewalks, trails, paths, crosswalks and greenways. A plan for a network of linkages shall be submitted as part of the conditional use application.

f. The site improvements contained within the greenway, park, plaza and square shall be located, designed and constructed in accordance with the provisions specified by East Lampeter Township and by the National Recreation and Parks Association.

3. The required open space within the ODI Development shall include the following:

a. ODI Developments between eight (8) and twenty (20) acres in size shall include at least one (1) park, plaza and/or square.

b. ODI developments exceeding twenty (20) acres in size shall include at least one (1) park, plaza and/or square. Every dwelling unit within the development must be within seven-hundred and fifty (750) feet of at least one (1) of these open space facilities.

c. ODI Developments between twenty (20) and forty (40) acres in size shall include at least one (1) park and at least one (1) plaza, square and/or greenway.

d. ODI Development exceeding more than forty (40) acres in size shall include a community center with an outdoor swimming pool in addition to the other open space requirements of Sections 23550.P.3.b. and 23550.P.3.c. of this Zoning Ordinance.

e. ODI Developments exceeding forty (40) acres in size shall include one (1) additional park facility for every twenty (20) acres above the initial forty (40) acres of the ODI Development.

4. At least two (2) of the open space facilities identified as squares, plazas or greenways must be at least thirty-two thousand (32,000) square feet in size for each square, plaza or greenway and shall contain at least two (2) separate physical focal points, which are consistent with the community themes in architecture and site design, in the form of a landmark symbol such as a statue or sculpture, a community oriented building, a gazebo, a water feature such as a fountain or a pond, a recreational feature such as a tot lot (not a court or field for sports) and landscaping. Each of these focal points shall be visible to a minimum of forty (40) percent of the dwellings in the development and the street system must be designed to direct traffic toward these focal points.

5. At least ninety (90) percent of the lots within the ODI Development must be within six-hundred (600) feet of a square, plaza or park. All lots shall have improved pedestrian access to a square, plaza and/or park via sidewalks, trails, paths, crosswalks and greenways.

6. Each Optional Design Incentive development that is forty (40) net acres in size, shall include a Community Center with an outdoor recreational swimming pool. The Community Center Building may also include indoor recreation facilities for year round use, meeting rooms and / or outdoor playground facilities. Each Community Center Building shall have off-street parking spaces provided on the same lot for each employee working on the lot and one (1) additional off street parking space on the same lot for each five-thousand (5,000) square feet of area in the Community Center Building lot.

7. Ownership of the open space shall be identified and accomplished through one (1) of the following methods:

   a. Dedication to East Lampeter Township, who shall not be obligated to accept the dedication of the proposed open space.

   b. Private ownership by a non-profit organization among whose purposes is the preservation of open space land and / or natural resources for the public's benefit. Such private owner shall be a bona fide conservation organization with a perpetual existence; the conveyance must contain appropriate provision for retransfer if the organization is unable to maintain the land. Private ownership is subject to deed restrictions in favor of East Lampeter Township, in language acceptable to the East Lampeter Township Solicitor and the private owner shall enter into a maintenance agreement with East Lampeter Township.

   c. An association composed of the landowners in accordance with the laws of the Commonwealth of Pennsylvania. The agreements of sale and deeds for all open space lots shall contain the following requirements in language acceptable to the East Lampeter Township Solicitor and Board of Supervisors.

      (1) Open space property shall not be further transferred except to east Lampeter Township, unless East Lampeter Township has given prior written approval. Such transfer shall be made only to another party which shall maintain the common open space in accordance with this Zoning Ordinance.

      (2) Open space shall be subject to a maintenance agreement with East Lampeter Township and shall agree to be bound by the provisions of Article VII of the Pennsylvania Municipalities Planning Code relating to the maintenance of deteriorating common open space by municipalities.

      (3) East Lampeter Township may require the establishment of a reserve fund to provide for maintenance of or capital improvements to the common open space.

      (4) East Lampeter Township may require that the open space or portions of the open space be made available to the general public for use.

Q. Street, Alley and Access Drive: The following design requirements for streets, alleys and access drives shall apply to an ODI Development:

1. Streets shall be designed to reduce traffic speeds and promote safe pedestrian and non-motorized vehicular travel with the use of crosswalks, signage, textured pavement, and other design materials approved by the Board of Supervisors.

2. Each vehicular access way shall be classified according to the following types for the purposes of this Section 23550 of this Zoning Ordinance only:

   a. Street "A": Provides access to the development and may act as a collector road within the development.

b. Street "B": Provides circulation within the development and access to individual residential properties.

c. Alley: Provides primary vehicular access to residential uses. All alleys shall be private, undedicated vehicular access ways.

d. Access Drive: Provides primary vehicular access to more than two (2) residential uses or one (1) or more non-residential use. May also provide access to loading areas or access between or among parking areas within a development. All access drives shall be private, undedicated vehicular access ways.

3. The roads, vehicular access ways and parking lanes within the ODI Development shall be designed in accordance with the following criteria:

ODI Development: Road, Alley and Access Drive Design Criteria					
Design Requirement		Street "A"	Street "B"	Alley	Access Drive
Right-Of-Way Width		50 to 60 feet	36 to 50 feet	12 to 16 feet	14 to 22 feet
Vehicular Travel Lanes	1 Way	Not Permitted	Not Permitted	12 feet wide per travel lane; 1 travel lane is required	12 feet wide per travel lane; 1 travel lane is required
	2 Way	12 feet wide per travel lane; 2 travel lanes are required	10 feet wide per travel lane; 2 travel lanes are required	8 feet wide per travel lane; 2 travel lanes are required	10 feet wide per travel lane; 2 travel lanes are required
Parking Lanes		1 or 2 lanes; Each 8 feet wide	8 feet wide lanes, when provided	None	8 feet wide lanes, when provided
Curb		Required	Required	None	None
Curb Return Radius		25 feet	15 feet	15 feet	15 feet
Horizontal Centerline		150 feet	80 feet	20 feet	80 feet

4. Fifty (50) percent of the lineal footage of street classification type B shall provide on-street parking along one side of the street. Guest parking, including on-street parking, shall be appropriately distributed throughout the development at a rate of one (1) parking space for every four (4) dwellings. On-street parking may be counted towards guest parking requirements.

5. Whenever on-street parking is provided, "bulb-outs" (also known as bump outs, nubs, knuckles or neck-downs) shall be provided as follows:

a. At all intersections with other streets, alleys and access drives on the same side as the proposed on-street parking.

b. Where necessary to ensure that there are no continuous strips of on-street parking in excess of two-hundred and fifty (250) feet.

c. Bulb outs shall be approximately seven (7) feet in depth.

d. Bulb outs at intersections shall be twenty-five (25) feet in length and all other required bulb outs shall be at least ten (10) feet in length unless the East Lampeter Township Engineer agrees that a proposed alternative design achieves a superior result.

e. All bulb outs shall be measured from the point of tangency where the intersecting street curb radius ties back into the main perpendicular street. The twenty-five (25) foot length shall be measured

along the curb line. The transition portion of the bulb out tying into the proposed parking stall of the main perpendicular street shall include a radius of five (5) feet and an overall transition length of ten (10) feet, as measured parallel to the centerline of the street.

f. Bulb outs proposed at intersections involving alleys shall be measured from the point of tangency where the intersecting alley curb radius ties back into the main perpendicular street. A ten (10) foot length shall be measured along the curb line. The transition portion of the bulb out tying into the proposed parking stall of the main perpendicular street shall include a radius of five (5) feet and an overall transition length of ten (10) feet, as measured parallel to the centerline of the street.

g. In no instance shall bulb outs conflict with the required safe sight distance of the proposed internal street of the ODI Development

6. The circulation system should maintain a grid pattern whenever possible. The orientation of streets should enhance the visual impact of common open spaces and prominent buildings. All streets shall terminate at other streets, except stub streets when such streets act as connections to future phases of development, public lands or adjacent properties which are expected to be developed at some time in the future. The use of traffic calming techniques shall be encouraged.

7. Illumination is required for streets, alleys and access drives, to increase safety of pedestrians, as well as vehicles, while contributing to the character of the development. Within the confines of the proposed development, lower light fixtures, as opposed to tall, high-intensity lights, are preferred. Light poles six (6) feet to eight (8) feet in height may replace the need for traditional streetlight fixtures provided that the light poles turn on and off in a similar manner as traditional street light fixtures. Along the perimeter boundary of the development, illumination shall conform to the streetlight standards specified by this Zoning Ordinance and the Subdivision and Land Development Ordinance.

8. All non-conforming provisions for streets, alley and access drive specified by this Zoning Ordinance and the Subdivision and Land Development Ordinance shall remain in effect.

9. Where a regional mass transit system provides service along a street adjacent to the proposed development, or where such a system is proposed as a part of an adopted municipal or regional transportation plan to serve the area of the development, appropriate drop-off and shelter facilities shall be located along such street or within such development or at some alternate location as may be required by the mass transit operator, applicable municipal agency or East Lampeter Township.

10. Street curbs, sidewalks and walkways shall be provided according to Township specifications. Alternate surface materials, such as but not limited to brick and Belgian block, may be substituted when determined by East Lampeter Township to be appropriate.

11. Crosswalks are required to be provided on all streets, alleys and access drives. Stamped asphalt, in lieu of painted lines may be considered as part of the conditional use application.

12. All utilities serving the ODI Development shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company providing service, the utility services and connections shall be installed underground.

R. Streets and Access Drives Planting and Landscaping: The following planting and landscaping requirements shall apply to the ODI Development:

1. Trees shall be provided along each side of all proposed streets and access drives.

2. Street trees shall be located no closer than four (4) feet and no farther than fifteen (15) feet from the rear of the curb or edge of pavement when no curb is provided. All other trees may be planted on a lot or open space area provided that it does not disrupt any stormwater management facilities, utility services and/or any other required site improvements for the ODI development.

3. The number of required trees shall be based on a minimum of one (1) tree, on each side of a street or access drive, for every forty (40) linear feet of street or access drive. Trees may be located at varying distances and in groupings, provided that the streetscape of each block length contains the required number of trees.

4. The following variety of native species are acceptable trees for the ODI Development:

Permitted Trees for an ODI Development		
American Beech	Green Ash	Shingle Oak
American Linden	Green spire Linden	Silver Linden
American Red Maple	Japanese Pagoda tree	Sugar Maple
Black Oak	Japanese Slovak	Sycamore
Bur Oak	Little leaf European Linden	Thorn less Honey Locust
Common Hackberry	Marshall's Seedless Ash	Tulip Poplar
Crimean Linden	Pin Oak	White Ash
Eastern Poplar	Purple Beech	White Oak
European Beech	Saw tooth Oak	
Ginkgo (male only)	Scarlet Oak	

5. Trees, when planted, shall be at least two (2) inches in diameter, measured at six (6) inches above the ground. In locations where healthy and mature trees currently exist, they may be counted toward the fulfillment of these standards, provided that they are retained and survive the street or access drive construction process.

6. No single species of tree may be used to make up more than twenty-five (25) percent of the total number of trees used for street and access drive planting.

7. No evergreen type trees may be planted within or encroach upon the dedicated street rights-of-way.

8. Street trees located within the ODI Development shall comply with the following criteria:

   a. The required street trees must be planted on the building side or behind the sidewalk on the side of the street where on-street parking is planned.

   b. Where no on-street parking is planned, required street trees shall be located between the curb and the sidewalk provided that the strip between the curb and sidewalk is at least four (4) feet in width. If the strip is less than four (4) feet in width, the required street trees shall be located behind the sidewalk.

9. Additional plantings may be used to complement the street and access drive trees. If permanent containers are used to accommodate such plantings, they shall contain vegetation, which is hardy for all seasons, or shall be replanted according to the change in seasons. The perpetual care and maintenance of such plantings shall be the responsibility of the entity responsible for the required open space.

10. Trees are not required along alleys.

11. All plantings shall be maintained to provide a clear and unobstructed passage way for the full width of the sidewalk or walkway to a point at least eight (8) feet above the sidewalk or walkway and for the full width of the street, alley or access drive to a point at least fourteen (14) feet above the street, alley or access drive.

S. Sidewalks: The following provisions shall apply to sidewalk requirements for the ODI Development:

1. Sidewalks shall be provided along both sides of all streets and access drives.

2. Sidewalks shall be a minimum of five (5) feet wide.

3. Sidewalks located along street(s) type "A" (refer to Section 23550.Q) shall be located a minimum of four (4) feet from the front face of curb.

4. Sidewalks located along street(s) type "B" or access drives (refer to Section 23550.Q) shall be located a minimum of two (2) feet from the front face of curb.

5. Sidewalks that abut commercial uses shall be at least eight (8) feet wide and may be located contiguous to the cartway of streets or access drives.

6. Sidewalks shall include aprons for access by handicapped persons and be designed according to all of the standards contained within the latest version of the Americans with Disabilities Act.

7. Sidewalk planting strips may be replaced with ten (10) foot wide sidewalks at locations of passive pedestrian nodes (e.g. benches, fountains, public transit stops and open space).

8. Alternate sidewalk materials may be substituted such as brick, pavers, stamped concrete or a mixture of alternate materials. All such alternate sidewalk materials shall be subject to the review and approval of East Lampeter Township.

T. Perimeter Buffer: The following provisions shall apply to the perimeter buffer of the ODI Development:

1. Adverse visual impacts between adjacent developments of differing intensities shall be mitigated through the use of landscape buffers, neighborhood- compatible architecture, building mass, building location and building orientation.

2. No buildings, parking areas, streets, access drives or alleys, except for perpendicular streets required to provide access to the development, shall be located within thirty-five (35) feet of any perimeter boundary of the proposed development.

3. No townhouse dwelling or multi-family dwelling shall be located within fifty (50) feet of any perimeter boundary of the proposed development.

4. Housing types located along the perimeter of the development shall be the same as those located on adjoining properties.

5. Landscape buffers shall function as a semi-opaque screen from the ground to at least a height of six (6) feet. Vegetative material within this buffer shall meet the following criteria:

   a. Existing or planted deciduous trees shall attain a height at maturity of not less than forty (40) feet. Existing or planted evergreen trees shall attain a height at maturity of not less than ten (10) feet.

   b. At least seventy-five (75) percent of the required shrubs shall be evergreen species and all shrubs shall have been locally adapted to the area.

   c. Tree spacing shall be no greater than fifty (50) feet on center for deciduous trees and no greater than twenty (20) feet on center for evergreen trees. Spacing distance may be increased when required for trees with branch length that overlaps.

   d. Perimeter buffer may include a wall, fence, landscaped earthen berm, planted vegetation, existing vegetation or any appropriate combination of these elements which complement and enhance the development's architectural theme.

   e. The requirement for a landscape buffer within infill areas may be modified in accordance with the provisions specified under Section 23550.U of this Zoning Ordinance in order to maintain the continuity within the community.

   f. No single species type may make up more than twenty-five (25) percent of the total number of plantings of that category (e.g. deciduous, evergreen or shrub).

U. Modifications of Design Standards: The provisions contained under Section 23550 of this Zoning Ordinance may be modified, subject to the following criteria:

1. The Board of Supervisors may, by conditional use approval, permit the modification of the design standards of this Section, in order to encourage the use of innovative design to meet the purpose and objectives of this Section.

2. Requests for modification of design standards shall be submitted in writing with the conditional use application for Optional Design Incentive. The Board of Supervisors shall consider both the Optional Design Incentive and modification of design standards simultaneously.

3. Modification of design standards shall be subject to the following:

   a. Modifications of design standards shall better serve the intended purpose and intent of this district, as expressed in Section 23550.A of this Zoning Ordinance.

   b. Modifications of design standards shall not result in greater adverse impact to adjoining properties nor future inhabitants within the zoning district than the development would without the requested modifications.

   c. Modifications will not result in an increase in residential densities, beyond the maximum density permitted in Section 23550.J.1 of this Zoning Ordinance.

V. Conditional Use Site Plan Requirements: The following provisions shall apply to the requirements of a conditional use site plan and the effect of the approval of the conditional use site plan:

1. Each applicant under this Section 23550 shall present a conditional use site plan with the application for a conditional use. The conditional use site plan shall contain, at a minimum, the information identified in Section 23550.V.7 of this Zoning Ordinance.

2. Approval of the conditional use application shall make compliance with the conditional use site plan and any revisions thereto a part of the approval. The applicant and future landowners shall develop the property in the manner set forth on the conditional use site plan and any revisions thereto when authorized in accordance with Sections 23550.V.3 and 23550.V.4 of this Zoning Ordinance.

3. The applicant and future landowners may, during the subdivision and land development process, make minor revisions to the site plan as may be necessary to accommodate fully engineered storm water management facilities, public sewer facilities, public water facilities, floodplains and changes to street design as may be required by the Pennsylvania Department of Transportation as part of a highway occupancy permit process.

4. Minor revisions to the approved conditional use site plan shall not:

   a. Alter any of the items set forth in Section 23550.V.5 of this Zoning ordinance;

   b. Increase the number of dwelling units permitted in the development,

   c. Change the percentage or mix of each type of dwelling unit in the development,

   d. Change the amount of non-residential building area or land area to be devoted to non-residential uses,

   e. Change the amount or location of open space areas,

   f. Change the minimum lot sizes for the residential dwellings,

   g. Result in lots or street systems that are impractical or detract from the appearance of the development,

   h. Change any improvement proposed to qualify for a design incentive.

5. Minor revisions to the approved conditional use site plan shall:

    a. Conform to the design requirements of Section 23550 of this Zoning Ordinance.

    b. Generally enhance the development plan, or in any case not have an adverse impact on its physical, visual or spatial characteristics.

    c. Generally enhance the streetscape and neighborhood, or in any case not have an adverse impact on the streetscape and neighborhood.

    d. Comply with the provisions of the optional design incentive standards.

    e. Allow for equal or better results than the originally approved conditional use site plan and represent the minimum modification necessary.

6. Any change to an approved conditional use site plan which does not constitute a minor revision authorized by Section 23550.V.3 must be submitted as an application to amend the conditional use approval.

7. The conditional use site plan shall include, at a minimum, the following information:

    a. The project name or identifying title.

    b. The name and address of the landowner, applicant and firm that prepared the plan.

    c. The file or project number assigned by the firm that prepared the plan, plan date, and dates of all plan revisions.

    d. A north arrow, graphic scale and written scale.

    e. The entire tract boundary with bearings and distances, and identification of all corner markers.

    f. A location map at a minimum scale of two-thousand (2,000) feet to the inch, showing the relation of the tract to adjoining property and to all streets, municipal boundaries, and streams located within one-thousand (1,000) feet of any part of the property.

    g. Existing adjacent land uses and lot lines within two-hundred (200) feet of any part of the property, including the location of all public and private streets, drives or lanes, railroads, historic sites and other significant natural or man-made features.

    h. Names of all immediately adjacent landowners, and names and plan book numbers of all previously recorded plans for adjacent projects.

    i. Contours at vertical intervals of two (2) feet for land with average natural slope of twelve percent (12%) or less, and at vertical intervals of five (5) feet for more steeply sloping land; location of bench mark and datum used.

    j. Areas subject to the one-hundred (100) year flood, wetlands, water bodies, habitats of endangered species, caves, historic sites, archeological sites and woodlands.

    k. Soil types as indicated by the most recent United States Department of Agriculture (USDA) Soil Conservation Service Soil Survey of Lancaster County.

    l. Existing landmarks within the proposed development, including the location of all existing streets, buildings, easements, rights-of-way, sanitary sewers, water mains, storm drainage structures, and watercourses.

    m. Site data including, but not limited to the following:

(1) Total acreage of the tract (gross acres);

(2) Zoning District;

(3) Proposed use of the land;

(4) Proposed gross area of the development;

(5) Proposed net area of the development;

(6) Proposed residential density;

(7) Proposed number of dwelling units;

(8) Proposed mix of dwelling types;

(9) Proposed number of lots;

(10) Acreage and percentage of proposed common open space;

(11) Acreage and floor area of any proposed commercial areas;

(12) Proposed number of off street and on street parking spaces;

(13) Total lot coverage in square feet and percentage; and

(14) Total building coverage in square feet and percentage.

n. Location and surface materials of all streets, access drives, parking compounds, sidewalks, bikeways and curbing, with approximate dimensions for each.

o. Location of all proposed lot lines with approximate dimensions.

p. Size of all lots, lot coverage and building coverage in square feet or acreage and by percentage.

q. Location, height and configuration of all buildings. Each multi-family dwelling building shall identify the number of dwelling units within the building.

r. Location, size, type and use of all common open space areas, structures and recreation facilities.

s. Landscaping, buffering, screening, walls and fences.

t. Phasing plan and development schedule, when applicable. When required, the phasing plan shall include timing and sequence of construction for all infrastructure provided by the developer. This schedule is subject to the approval of East Lampeter Township.

u. Infrastructure includes but is not necessarily limited to site improvements, landscaping, pedestrian accommodations, storm water management, sanitary sewerage, water supply, vehicular circulation, parking and any off-site improvements as may be required as a condition of approval, including signalization or other site improvements at the access points to the development.

W. Other Provisions: In addition to the provisions that are specified under Section 23550 (Optional Design Incentive Development), the proposed ODI Development shall comply with the applicable general provisions that are contained within Article 22 (General Regulations) and the provisions for a conditional use application that are specified under Section 25080 of this Zoning Ordinance.

Section 23560: Orphanage

A. Orphanage, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as a principal use by special exception within the R-2 and R-3 Zoning Districts.

Section 23560: Orphanage															
Zoning District and Article Number	AP	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	15	18	19	20
By Right															
Special Exception			P 1	P 1											
Conditional Use															
P = Principal Use			A = Accessory Use				1 = Special Lot Size Requirements								

B. The chart contained under Section 23560.A of this Zoning Ordinance has been provided as a general reference guide. Section 23560 and the underlying zoning district provide specific regulations for orphanages.

C. Permitted Uses: The following principal and accessory uses shall be permitted within an orphanage:

1. The principal use shall be the orphanage.

2. Subordinate or accessory uses within an orphanage shall be limited to: administrative offices; educational uses; meeting rooms; conference rooms; work stations; cafeterias; snack bars; private recreation uses; places of worship; and/or other similar uses. The cumulative gross floor area or occupied space area for all such accessory uses shall not occupy more than thirty (30) percent of the cumulative gross floor area or occupied space area of all uses within the orphanage. The accessory uses shall be considered subordinate uses that directly benefit the orphanage.

3. The landowner and operators of the orphanage shall furnish the certificates and licenses for the ownership and operation of an orphanage, as issued by the local, state and federal agencies with jurisdiction.

4. All principal buildings associated with the orphanage shall comply with the appropriate building code requirements established by East Lampeter Township and the Commonwealth of Pennsylvania.

D. Area and Utility Requirements: The following general provisions shall apply to orphanage:

1. The orphanage shall be located on a lot with a minimum area of three (3) acres.

2. The orphanage shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. The orphanage shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. All other utility provisions serving orphanage shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company providing service, the utility services and connections shall be installed underground.

E. Setback, Coverage and Height Requirements: The orphanage shall comply with the following setback, coverage and height requirements:

1. The buildings occupying the principal and accessory uses associated with the orphanage shall be located at least fifty (50) feet from all street rights-of-way lines and property lines.

2. All permitted uses designated as an outdoor use or activities for the orphanage shall not be located within the front yard and shall be located at least twenty (20) feet from all side and rear lot lines.

3. All external storage areas utilized as part of the orphanage shall not be located within the front yard and shall be located at least twenty (20) feet from all side and rear property lines.

4. All buildings, structures, external storage areas and/or open areas utilized as part of the orphanage shall be located at least fifty (50) feet from any land or water areas considered to be floodplains, perennial streams, intermittent streams, surface waters, wetlands, water supply wells, and slopes exceeding twenty-five (25) percent in grade.

5. No more than twenty (20) percent of the lot shall be covered by buildings.

6. No more than forty (40) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving.

7. The maximum height of any building or structure shall be fifty (50) feet, as measured from the average ground elevation to the highest point of the building or structure.

8. All other building and/or structures shall comply with the setback requirements of the zoning district on which the orphanage is located.

Section 23570: Personal Service Facility

A. Personal service facility, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as a principal use by right within the C-1, C-2, C-3, BP, MU, BH, VG and VC Zoning Districts:

Section 23570: Personal Service Facility															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right					P	P	P			P	P	P	P	P	
Special Exception															
Conditional Use															
P = Principal Use				A = Accessory Use											

B. The chart contained under Section 23570.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23570 and the underlying zoning districts provide specific regulations for the personal service facility.

C. General Requirements: The following general provisions shall apply to personal service facility::

1. The personal service facility shall be serviced by public sanitary sewer facilities (where available), which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The personal service facility shall be serviced by public water supply facilities or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the personal service facility shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company providing service, the utility services and connections shall be installed underground.

4. All other building and/or structures shall comply with the setback requirements of the zoning district on which the personal service facility is located.

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Section 23580: Places of Worship

A. Places of worship, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as a principal use by right within the AG, R-1, R-2, R-3, C-1, BP, MU, BH, VG, VC and VR Zoning Districts.

Section 23580: Places of Worship															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right	P 1	P 1	P	P	P					P	P	P	P	P	P
Special Exception															
Conditional Use															
P = Principal Use				A = Accessory Use						1 = Special Lot Size Requirements					

B. The chart contained under Section 23580.A of this Zoning Ordinance has been provided as a general reference guide. Section 23580 and the underlying zoning district provide specific regulations for places of worship.

C. Permitted Uses: The following principal and accessory uses shall be permitted for places of worship:

1. The principal use shall be the church, religious facility or the place of worship.

2. Subordinate or accessory uses shall be limited to: administrative offices; meeting rooms; educational uses; a rectory or residential use; private recreation uses; a cemetery; banquet facilities; social hall; concession stands; day care facilities; and/or other similar uses. The accessory uses shall be considered subordinate or accessory uses that directly benefit the persons that are member or area affiliated with the place of worship.

3. The permitted uses described within Section 23580.C.1 and 23580.C.2 of this Zoning Ordinance may be permitted outside of the places of worship provided that such uses comply with the setback requirements specified under Section 23580.E of this Zoning Ordinance and provided that there are no conflicts with the requirements for traffic control as specified under Section 23580.F of this Zoning Ordinance.

4. An attached or detached residential dwelling may be located on the same lot as the place of worship, subject to the following provisions:

    a. The rectory or residential dwelling shall only be occupied by no more than four (4) unrelated persons that area employed by the place of worship.

    b. The total gross floor area of the residential use shall not be more than thirty (30) percent of the total gross floor area of the place of worship.

    c. The provisions for sanitary sewage disposal and water supply shall be subject to the review of East Lampeter Township and the Pennsylvania Department of Environmental Protection.

    d. The residential dwelling shall comply with the setback, coverage and height requirements that are under Section 23580.E of this Zoning Ordinance.

    e. If the residential dwelling is located on a lot that is not occupied by the place of worship, the residential dwelling shall than be considered as a principal use and subject to the provisions specified by the zoning district on which the residential dwelling is located.

5. An attached or detached school or educational use may be located on the same lot as the place of worship, subject to the following provisions

    a. A school or educational use shall be permitted provided that the combination of uses comply with the lot, setback, coverage and height requirements of the zoning district on which the church and school are located.

b. The school or educational use shall only be occupied by students, teachers and staff members that are members of the place of worship. The curriculum shall be exclusively related to the religious beliefs of the place of worship and shall not include core educational subjects that are typically provided by a public or private school, such as mathematics, science, english, grammar, language, history, physical education, art and/or music.

c. The total gross floor area of the school or educational use shall not be more than fifty (50) percent of the total gross floor area of the place of worship.

d. In addition to the provisions contained under Section 23580 of this Zoning Ordinance, the private school or educational use shall be subject to the provisions specified within this Zoning Ordinance.

6. An attached or detached day care facility may be located on the same lot as the place of worship, subject to the following provisions:

a. The day care use shall only be considered as an accessory use to the place of worship.

b. The day care facility shall only utilize areas contained within the existing building occupied by the place of worship, which are designated for other permitted principal and accessory uses.

c. The day care facility shall comply with all pertinent provisions established for a day care use by the Commonwealth of Pennsylvania and East Lampeter Township.

d. In addition to the provisions contained under Section 23580, the day care use may be subject to the provisions specified under Sections 23210 of this Zoning Ordinance.

7. A cemetery may be located on the same lot as the place of worship, subject to the following provisions:

a. A cemetery shall be permitted by special exception within the AG, R-1, R-2 and R-3 Zoning District.

b. A cemetery shall be subject to the provisions of Section 23150 of this Zoning Ordinance.

8. Private or accessory recreation facilities may be located on the same lot as the place of worship, subject to the provisions specified under Sections 23580, 23620.5 and/or 23620.7 of this Zoning Ordinance.

9. All other permitted uses described within Sections 23580.C of this Zoning Ordinance shall be harmoniously planned and integrated as part of the place of worship.

D. Setback, Coverage and Height Requirements: The following setback, coverage and height requirements shall apply:

1. The minimum lot width for the places of worship shall be two hundred (200) feet.

2. All principal buildings and/or uses specified under Sections 23580.C of this Zoning Ordinance shall be located at least fifty (50) feet from any street right-of-way line or property line.

3. All accessory buildings, structures and/or uses specified under Section 23580.C of this Zoning Ordinance shall be located at least fifty (50) feet from any street right-of-way line and twenty (20) feet from all other property lines.

4. No more than fifty (50) percent of the lot shall be covered by buildings.

5. No more than seventy (70) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving.

6. The maximum height of any building or structure shall be fifty (50) feet, as measured from the average ground elevation to the highest point of the building or structure.

E. General Requirements: The following general requirements shall apply to places of worship:

1. Places of worship shall be serviced by public or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. Places of worship shall be serviced by public or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. The landowner and/or designated leader of the place of worship shall furnish a valid permits, licenses and/or certifications to operate the uses and facilities located on the property.

4. Outside pedestrian waiting lines shall be provided with a means of shade and/or relief from the exposure of the sun and heat.

5. The requirements for off-street parking will be determined based upon a combination of permitted uses contained within the places of worship and the compliance chart specified under Section 22160 of this Zoning Ordinance. As part of the land development plan application, East Lampeter Township may permit overflow parking on designated lawn areas in accordance with the following criteria:

   a. The overflow parking area shall only be utilized in order to accommodate the parking demand during peak events or for the combination of events at the place of worship.

   b. The overflow parking area shall be accessible only from the interior driveways or access lanes for the parking facility, which shall be located, designed and fenced to prevent motor vehicles from crossing adjoining properties or directly accessing public roads.

   c. Soil erosion, sedimentation control, and stormwater runoff shall be managed in accordance with all applicable laws and regulations.

   d. If it is determined that traffic congestion is occurring along adjoining roads, and that the traffic congestion is directly related to the size or design of the overflow parking area, East Lampeter Township shall require the landowner to revise the off-street parking facilities in order to resolve the traffic congestion problem and/or provide additional on-site parking spaces to accommodate the parking demand during peak events or for the combination of events at the place of worship.

Section 23590: Principal Uses Permitted in Combination

A. Principal uses permitted in combination, as defined under Section 2020 of this Zoning Ordinance, shall be permitted by right within the C-1, C-3, I-1, I-2, BP, MU, BH, VG and VC Zoning Districts. Clarification regarding the procedural requirements for the permitted uses is further specified under Section 23590.C of this Zoning Ordinance.

Section 23590: Principal Uses Permitted in Combination															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right					P 1		P 1	P 1	P 1	P 1	P 1	P 1	P 1	P 1	
Special Exception															
Conditional Use															
P = Principal Use			A = Accessory Use				1 = Special Land Use and Development Requirements								

B. The chart contained under Section 23590.A of this Zoning Ordinance has been provided as a general reference guide. Section 23590 of this Zoning Ordinance and the underlying zoning district provide specific regulations for principal uses permitted in combination.

C. Permitted Uses: The following uses shall be permitted as part of principal uses permitted in combination.

1. The principal uses contained within the development may include the principal uses that are permitted by right within the zoning district on which the principal uses are located.

2. If any of the permitted uses within development require special exception or conditional use approval, the procedural requirements for a special exception or conditional use shall apply to the development.

3. The accessory uses contained within the development may include the accessory uses that are permitted by right within the zoning district on which the principal uses are located.

4. The permitted uses described within Section 23590.C of this Zoning Ordinance may be permitted provided that such uses comply with the area requirements specified under Section 23590.D, the setback requirements specified under Section 23590.E, and the general requirements specified under Section 23590.F of this Zoning Ordinance.

D. Area and Utility Requirements: The following general provisions shall apply to a principal uses permitted in combination with other uses:

1. The principal uses permitted in combination with other uses shall comply with the following minimum lot area requirements:

a. The minimum lot area shall be 20,000 square feet for principal uses permitted in combination within the C-1, I-1, BP, MU, VG and VC Zoning Districts.

b. The minimum lot area shall be 2 acres for principal uses permitted in combination within the C-3 Zoning District.

c. The minimum lot area shall be 1 acre for principal uses permitted in combination within the I-2 Zoning District.

d. Additional provisions may apply to the lot area, dimensional and general requirements for principal uses permitted in combination.

2. Principal uses permitted in combination with other uses shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. Principal uses permitted in combination with other uses shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. Unless otherwise permitted by East Lampeter Township, the principal uses shall have separate utility connections for sanitary sewage disposal, water supply, electric, telephone, natural gas and cable services.

5. All other utility provisions serving principal uses permitted in combination with other uses shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

Section 23600: Reserved

Section 23610: Public Utility Buildings and/or Structures

A. Public utility buildings and/or structures, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1 Public utility buildings and/or structures shall be permitted as a principal use by right in the C-2, C-3, I-1, I-2 and BP Zoning Districts.

2 Public utility buildings and/or structures shall be permitted as a principal use by special exception within the AG, R-1, R-2, R-3, C-1, MU, BH, VG, VC and VR Zoning Districts.

Section 23610: Public Utility Buildings and/or Structures															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right						P	P	P	P	P					
Special Exception	P	P	P	P	P						P	P	P	P	P
Conditional Use															
P = Principal Use				A = Accessory Use											

B. The chart contained under Section 23610.A of this Zoning Ordinance has been provided as a general reference guide. Section 23610 and the underlying zoning district provide regulations for public utility buildings and/or structures.

C. Permitted Uses: The following provisions shall apply to the proposed uses and activities:

1. The landowner and operator of the property on which the public utility building and/or structure is located must be classified as a "public utility", as defined under Section 2020 of this Zoning Ordinance.

2. The applicant for the utility must demonstrate that the selected location is necessary for public service and convenience and that the use cannot be supplied with equal effectiveness if located elsewhere.

D. General Requirements: The following general requirements shall apply to public utility buildings and/or structures:

1. The public utility buildings and/or structures shall be served by public sanitary sewer facilities (where available) or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any municipal ordinances.

2. The public utility buildings and/or structures shall be served by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. Public utility buildings and/or structures not intended for occupancy shall not require sanitary sewage disposal facilities and/or water supply facilities.

4. All uses and activities shall not pose a threat to the health, safety and/or general welfare of any property or use within East Lampeter Township. Where, appropriate, the landowner shall design, construct and implement appropriate safeguards.

5. Hazardous, contaminated and/or toxic materials, including but not limited to highly flammable materials, explosives, pathological wastes and radioactive materials, shall not be stored at the site.

6. The landowner shall provide East Lampeter Township and the emergency service responders (police, fire and ambulance) with a complete list of materials, chemical and/or substances that are typically stored or maintained on the property that could be considered hazardous or dangerous to the employees, visitors and/or emergency service responders.

Section 23620: Recreation Use

A. Recreation use, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. Recreation as an accessory use shall be permitted as accessory use by right within the I-1, I-2 and BP Zoning Districts and by special exception within the AG Zoning District. For the purposes of this Zoning Ordinance, the term "recreation as an accessory use" may also be referenced as "accessory recreation use".

2. Recreation as a commercial use shall be permitted as a principal use by right within the C-2, C-3 and BP Zoning Districts. For the purposes of this Zoning Ordinance, the term "recreation as a commercial use" may also be referenced as "commercial recreation use".

3. Recreation as a municipal use shall be permitted as a principal or accessory use by right in the AG, R-1, R-2, R-3, C-1, C-2, C-3, I-1, I-2, BP, MU, BH, VG, VC and VR Zoning Districts. For the purposes of this Zoning Ordinance, the term "recreation as a municipal use" may also be referenced as "municipal recreation use".

4. Recreation as a private or restrictive use shall be permitted as a principal or accessory use by right within the R-1, R-2, R-3, C-1, C-2, BP, MU, BH, VG, VC and VR Zoning Districts. For the purposes of this Zoning Ordinance, the term "recreation as a private or restrictive use" may also be referenced as "private recreation use" or "restrictive municipal use".

Section 23620: Recreation Use															
Zoning District Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right	P, A 3	P, A 3, 4	P, A 3, 4	P, A 3, 4	P, A 3, 4	P, A 2,3,4	P, A 2, 3	P, A 1, 3	P, A 1, 3	P, A 1,2,3,4	P, A 3, 4	P, A 3, 4	P, A 3, 4	P, A 3, 4	P, A 3, 4
Special Exception	A 1														
Conditional Use															

P = Principal Use	A = Accessory Use
1 = Recreation as an Accessory Use	2 = Recreation as a Commercial Use
3 = Recreation as a Municipal Use	4 = Recreation as a Private or Restrictive Use

B. The chart contained under Section 23620.A of this Zoning Ordinance has been provided as a general reference guide. Section 23620 and the underlying zoning districts provide specific regulations for recreation uses.

C. Permitted Uses: The following principal, accessory and subordinate recreation uses shall be permitted:

1. Accessory Recreation Uses: The principal use shall be a use permitted by right in the zoning district on which the principal use and the accessory recreational use are located. The accessory recreational uses shall be subject to the review and approval of East Lampeter Township.

2. Health Club or Fitness Center: A commercial use that provides recreation facilities for health and/or fitness activities within a principal building and/or defined accessory outdoor area. The following principal and accessory uses shall be permitted:

a. The principal use shall be the health club and/or fitness center, which shall be classified as a commercial recreation use.

b. Accessory or subordinate uses contained within a building occupied by recreation health clubs and/or fitness centers shall be limited to: administrative offices; fitness equipment facilities; sports training facilities; therapeutic spas; aerobic training facilities; cardiovascular training facilities; swimming pools; racquetball courts; locker rooms and shower facilities; child care facilities; retail sales; snack bars; vending machines; and/or other similar uses. The cumulative gross floor area or occupied space area for all such subordinate or accessory uses shall not occupy more than forty (40) percent of the cumulative gross floor area of building occupied by recreation health clubs and/or fitness centers. The accessory uses shall only be made available to the members of the recreation health club and/or fitness center.

c. Recreation facilities located outside of the building occupied by recreation health club and/or fitness center may be permitted as an accessory or subordinate use, provided that such uses are limited to: basketball courts; baseball and softball fields; tennis courts; volleyball courts; swimming pools; walking, running or fitness trails; bicycle trails; exercise stations; hockey rinks; and/or other similar recreation facilities, as determined appropriate by East Lampeter Township.

3. Commercial Recreation Use: The following principal and accessory uses shall be permitted:

a. The principal use shall include commercial recreation uses and activities that are contained within a building or defined area in which an admission or participation fee is charged to the customers.

b. Accessory or subordinate uses for the commercial recreation use shall be limited to: administrative offices; child care facilities; retail sales; snack bars and/or other similar uses. The cumulative gross floor area or occupied space area for all such accessory or subordinate uses shall not occupy more than twenty (20) percent of the cumulative gross floor area or occupied space area of all permitted principal commercial recreation uses. The accessory uses shall only be made available to the customers of the commercial recreation use.

4. Municipal Recreation Use: The following principal and accessory uses shall be permitted:

a. The principal use shall include recreation uses and activities that are contained within a building or defined outside area that is generally open to the community during specified periods of time. Municipal recreation uses may be classified as a park, playground, recreation area and/or open space area that is typically owned and maintained by East Lampeter Township.

b. Accessory or subordinate uses for the municipal recreation use shall be limited to: administrative offices; child care facilities; concession stands; entertainment uses and/or other similar uses. The cumulative gross floor area or occupied space area for all such accessory or subordinate uses shall not occupy more than thirty (30) percent of the cumulative gross floor area or occupied space area of the principal uses. The accessory uses shall be made available to the landowners and residents within the community during specified periods of time customers of the municipal recreation use.

5. Private or Restrictive Recreation Use: The following principal and accessory uses shall be permitted

a. The principal use shall include recreation uses and activities that are contained within a building or defined outside area that is generally established as part of a residential development, which is open to the landowners and residents within the development during specified periods of time. Private recreation uses may be classified as a park, playground, recreation area and/or open space area that is typically owned and maintained by a homeowners association, management group, or other similar organization.

b. Accessory or subordinate uses for the private recreation use shall be subject to the review and approval of East Lampeter Township. If accessory uses are permitted, they should only be made available to the landowners and residents within the development during specified periods of time.

D. General Requirements: The following general provisions shall apply to accessory recreation uses.

1. The recreation use shall be serviced by public sanitary sewer facilities (where available) or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The recreational use shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which is consistent with any plans and ordinances adopted by East Lampeter Township.

3. All active recreation facilities and uses located outside of the principal building shall be located at least fifty (50) feet from any street right-of-way line and property line.

4. All passive recreation facilities and uses located outside of the principal building shall be located at least twenty (20) feet from any street right-of-way line and property line. No setback requirement shall apply to a trails or pathway that provides a linkage to other recreation uses or community facilities.

Section 23630: Reserved

Section 23640: Regional Impact Development

A. Regional impact development, as defined under Section 2020 of this Zoning Ordinance, shall be permitted by conditional use within all zoning districts, provided that the regional impact development contains principal use(s) that are permitted within the zoning district on which the regional impact development is located.

Section 23640: Regional Impact Development															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BP	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right															
Special Exception															
Conditional Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
P = Principal Use					A = Accessory Use										

B. The chart contained under Section 23640.A of this Zoning Ordinance has been provided as a general reference guide. Section 23050 and the underlying zoning district provide specific regulations for regional impact development.

C. Application: A regional impact development shall be classified as a principal use or combination of principal uses that have the capability to generate five hundred (500) or more vehicle trips during any peak hour of operation as part of an application. The regional impact development may include uses that are permitted within the zoning district on which the regional impact development is located and in accordance with this Zoning Ordinance.

D. Area and Utility Requirements: The following general provisions shall apply to regional impact developments:

1. The principal uses that are permitted within the regional impact development shall comply with the required lot area requirement of the zoning district on which the principal use is located.

2. Regional impact developments shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. Regional impact developments shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

E. General Requirements: The following general requirements shall apply to regional impact developments:

1. The architectural features or building facade for the uses within the regional impact development shall be harmoniously planned as a unified development. As part of the conditional use application, the applicant or developer shall identify the non-residential uses and demonstrate how these uses can be amicably planned considering their architectural appearance.

2. At least one (1) primary point of ingress and egress to the regional impact development shall be located along a collector or arterial street.

3. The regional impact development shall include a clearly defined internal pedestrian circulation system, which shall be designed considering the following criteria:

a. Sidewalks shall be provided along all streets within the regional impact development.

b. Sidewalks shall be provided from the regional impact development to: nearby regional mass transit facilities; any adjacent developments from which pedestrians would reasonably be expected to walk; any adjacent undeveloped lands zoned for development from which pedestrians would reasonably be expected to walk in the future; adjacent community facilities; and to other areas determined appropriate by East Lampeter Township.

c. Crosswalks shall be provided to facilitate pedestrian circulation within the regional impact development.

d. The pedestrian circulation system shall comply with the requirements specified by East Lampeter Township. Alternative designs may be considered if the applicant can demonstrate that the alternative design will not be detrimental to external or internal pedestrian circulation.

4. Where a mass transit system provides service along a street adjacent to s regional impact development, or where such mass transit system is proposed as part of an adopted municipal or regional transportation plan to serve the area of the regional impact development, a designated pick-up or drop-off shelter shall be located along such street, or within such regional impact development, or at some alternate location, as may be identified by the mass transit company or East Lampeter Township

F. Land Development: The following criteria shall apply to the initial and future phases of land development for a regional impact development.

1. A complete land development plan shall be submitted to East Lampeter Township for review and consideration. The land development plan shall comply with all conditions of approval issued as part of the conditional use application as well as all other provisions specified by East Lampeter Township.

2. Where a regional impact development is an extension, expansion, or revision of a development existing prior to the adoption of these regulations, only that part of the regional impact development being extended, expanded, or revised shall be subject to the regional impact development requirements that are specified under Section 23640 of this Zoning Ordinance.

3. Where a regional impact development is to be constructed in phases, the application for conditional use shall include the entire area to be developed in all phases. In such case, the applicant shall provide a construction schedule for each phase. This schedule shall indicate the timing and sequence of construction for all infrastructure to be provided by the developer, including but not necessarily limited to site improvements, traffic, sanitary sewage, water supply, vehicular circulation, stormwater management, landscaping, lighting, pedestrian accommodations, parking, loading, and any other on-site or off-site improvements that are required as a condition of approval.

Section 23650: Repair Facility

A. Repair facility, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. A repair facility, as a principal or accessory use, shall be permitted by right within the I-1 Zoning District provided that the building does not exceed 100,000 cumulative square feet of gross floor area.

2. A repair facility, as an accessory use, shall be permitted by right within the I-2 and BP Zoning Districts.

Section 23650: Repair Facility as an Accessory Use															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right								P, A 1	A	A					
Special Exception															
Conditional Use															
P = Principal Use				A = Accessory Use				1 = Building Size Requirements							

B. The chart contained under Section 23650.A of this Zoning Ordinance has been provided as a general reference guide. Section 23650 and the provisions of the underlying zoning district shall apply to repair facility as an accessory use.

C. General Requirements: The following general requirements shall apply to a repair facility as an accessory use:

1. The permitted principal and accessory uses shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The permitted principal and accessory uses shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. The permanent storage of equipment and materials that are utilized for the repair facility shall be located within a building occupied by the principal use.

4. The temporary storage of equipment and materials that are utilized for the repair facility shall be located at least fifty (50) feet from all street right-of-way lines and all other property lines.

5. No outdoor storage of parts, equipment, lubricants, fuel or other materials used or discarded as part of the principal use or repair facility shall be permitted.

6. All general service, maintenance and/or repair activities shall be permitted provided that they are conducted within an enclosed building that complies with the appropriate building code requirements specified by East Lampeter Township.

7. The use and related activities shall not emit noise, glare, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat and/or other perceptible or objectionable nuisances that would impact neighboring properties, or be noticeable at or beyond the property line.

8. The applicant shall furnish evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, noise, light, dust, smoke, litter and pollution.

Section 23660: Residential Accessory Buildings or Structures

A. Residential accessory buildings or structures, as defined under Section 2020 (Definitions of Specific Terms) of this Zoning Ordinance, shall be permitted as follows:

1. A residential accessory building or structure for a permitted use shall be permitted by right in the AG, R-1, R-2, R-3, BR, BP, MU, BH, VG, VC and VR Zoning Districts.

2. A residential accessory building or structure for a non-conforming use shall be permitted by special exception in the C-1, C-2, C-3, I-1 and I-2 Zoning Districts.

Section 23660.1: Residential Accessory Buildings or Structures															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right	A	A	A	A						A	A	A	A	A	A
Special Exception					A	A	A	A	A						
Conditional Use															
P = Principal Use				A = Accessory Use											

B. The chart contained under Section 23660.A of this Zoning Ordinance has been provided as a general reference guide. Section 23660 and the underlying zoning districts provide regulations for accessory buildings or structures.

C. Regulatory Conflicts: Should a conflict exist between the provisions that are specified under Section 23660 and other provisions specified by this Zoning Ordinance, the more restrictive setback requirement shall apply.

Section 23670: Residential Retirement and/or Care Facility

A. Residential retirement and/or care facility, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as a principal use by special exception within the R-2, R-3 and MU Zoning Districts.

Section 23670: Residential Retirement and/or Care Facility															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right															
Special Exception			P 1	P 1							P 1				
Conditional Use															
P = Principal Use			A = Accessory Use					1 = Special Lot Size, Use and Development Requirements							

B. The chart contained under Section 23670.A of this Zoning Ordinance has been provided as a general reference guide. Section 23670 and the underlying zoning district provide regulations for residential retirement and/or care facility.

C. Permitted Uses: The following principal and accessory uses shall be permitted:

1. The principal use shall be residential retirement and/or care facility.

2. Subordinate or accessory uses within a residential retirement and/or care facility shall be limited to: administrative offices; residential living facilities; health care facilities; rehabilitation facilities; pharmacies; cafeterias; snack bars; personal care or service establishments; child care facilities; private recreational uses; meeting rooms; conference rooms; work stations; places of worship; and other similar uses. The cumulative gross floor area or occupied space area for all such accessory uses shall not occupy more than forty (40) percent of the cumulative gross floor area or occupied space area of all uses within the residential retirement and/or care facility. The accessory uses shall be considered subordinate uses that directly benefit the residential retirement and/or care facility.

D. Area and Utility Requirements: The following provisions shall apply to residential retirement and/or care facility:

1. The residential retirement and/or care facility shall be located on a lot with a minimum area of one (1) acre.

2. The residential retirement and/or care facility shall be serviced by public or community sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. The residential retirement and/or care facility shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

E. General Requirements: The following general requirements shall apply to residential retirement and/or care facility:

1. All permitted uses designated as outdoor uses or activities for the residential retirement and/or care facility shall not be located within the front yard and shall be located at least twenty (20) feet from all side and rear lot lines.

2. All external storage areas utilized as part of the residential retirement and/or care facility shall not be located within the front yard and shall be located at least twenty (20) feet from all side and rear property lines.

3. All landowner and operators of the residential retirement and/or care facility shall furnish all valid registrations, certifications and/or license for the proposed use, as issued by the appropriate local, state and federal agencies to order to operate the facility.

4. All principal buildings associated with the residential retirement and/or care facility shall comply with the building code requirements established by East Lampeter Township and the Commonwealth of Pennsylvania.

5. The architectural features or building facade of the residential retirement and/or care facility shall be harmoniously planned and designed to consider the residential character of the neighborhood.

6. The landowner shall provide East Lampeter Township and all emergency service providers (police, fire and ambulance) with a complete list of materials, chemical and/or substances that are typically stored or maintained on the property that could be considered hazardous or dangerous to the employees, visitors and/or emergency service responders.

7. The quantity and quality of the wastewater generated, stored, transported and/or discharged shall be subject to the review of East Lampeter Township and the Pennsylvania Department of Environmental Protection

8. All medical waste, bio-hazardous materials, equipment, red bag waste, and other similar items, which because of its potential health risks, shall be discarded in a manner specified by local, county, state and federal laws.

9. The applicant shall develop, implement and maintain a working plan for the trash disposal, recycling and the clean-up of litter that is a result of the residential retirement and/or care facility.

10. An emergency management plan must be developed in the event of a catastrophic event resulting from flooding, fire, snow, ice, earthquake, utility outage, or other catastrophic event. The emergency management plan should be submitted to East Lampeter Township for review and consideration prior to the issuance of the use and occupancy permit. The emergency management plan shall be posted and a copy shall be issued to occupants of the facility.

11. The requirements for off-street parking will be determined based upon a combination of permitted uses contained within the residential retirement and/or care facility and the compliance chart specified under Section 22160 of this Zoning Ordinance. As part of the special exception application or land development plan application, East Lampeter Township may consider and permit overflow parking on designated lawn areas in accordance with the following criteria:

    a. The overflow parking area shall only be utilized in order to accommodate the parking demand during peak events or for the combination of events at the commercial regional impact development.

    b. The overflow parking area shall be accessible only from the interior driveways or access lanes for the parking facility, which shall be located, designed and fenced to prevent motor vehicles from crossing adjoining properties or directly accessing public roads.

    c. Soil erosion, sedimentation control, and stormwater runoff shall be managed in accordance with all applicable laws and regulations.

    d. If East Lampeter Township determines that traffic congestion is occurring along adjoining roads, and that the traffic congestion is directly related to the size or design of the overflow parking area, East Lampeter Township shall require the landowner, manager or applicant to revise and re-design off-street parking facilities in order to resolve the traffic congestion problem and/or provide additional on-site parking spaces to accommodate the parking demand during peak events or for the combination of events at the commercial regional impact development.

12. The residential retirement and/or care facility shall include a clearly defined internal pedestrian circulation system that includes sidewalks, crosswalks and pedestrian paths.

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13. Where a mass transit system provides service along a street adjacent to the residential retirement and/or care facility, a pick-up or drop-off shelter shall be located along such street, or within the residential retirement and/or care facility.

Section 23680: Restaurant

A. Restaurant, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. A restaurant and/or cafeteria shall be permitted as an accessory use by right within the C-3, I-1, I-2 and BP Zoning Districts.

2. A restaurant with no drive-through service lanes shall be permitted as a principal use within the C-1, C-2, MU, BH, VG and VC Zoning Districts.

3. A restaurant with or without a drive-through service lane shall be permitted as a principal use by right within the C-3 and BP Zoning District.

4. A restaurant with a drive-through service lane shall be permitted as a principal use by special exception within the C-1 and C-2 Zoning Districts.

5. A restaurant that operates as a "bring your own bottle restaurant" or "BYOB" shall be permitted as a principal use by special exception within the C-1, BP, MU, BH, VG and VC Zoning Districts.

Section 23680: Restaurant															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right					P 2	P 2	P 1, 2, 3	A 1	A 1	P, A 1, 2, 3	P 2	P 2	P 2	P 2	
Special Exception					P 3, 4	P 3				P 4	P 4	P 4	P 4	P 4	
Conditional Use															

P = Principal Use	A = Accessory Use
1 = Restaurant and/or cafeteria as an accessory use	2 = Restaurant with no drive-through service lanes
3 = Restaurant with a drive-through service lane	4 = Restaurant that operates as a BYOB

B. The chart contained under Section 23680.A of this Zoning Ordinance has been provided as a general reference guide. Section 23680 and the underlying zoning districts provide specific regulations for a restaurant use.

C. Permitted Uses: The following principal and accessory uses shall be permitted:

1. Restaurant and/or Cafeteria as an Accessory Use:

   a. The principal use shall be a permitted use within the zoning district on which the principal use and the accessory use are located.

   b. The restaurant and/or cafeteria shall be considered as an accessory use for the benefit of the employees of the principal use.

   c. The restaurant and/or cafeteria may contain an accessory area devoted to outdoor eating provided the cumulative surface area or gross floor area does not exceed ten (10) percent of the total number of seats within the building occupying the restaurant use. Additional provisions shall apply.

2. Restaurant with No-Drive Through Service:

   a. Restaurants permitted in combination with other uses shall only be permitted if specified by this Zoning Ordinance.

   b. The restaurant shall contain no drive-through service lanes.

   c. The restaurant may contain an accessory area devoted to outdoor eating provided the cumulative surface area or gross floor area does not exceed ten (10) percent of the total number of seats within the building occupying the restaurant use.

d. The restaurant may contain an accessory area devoted to a bar room, taproom, lounge and/or social area provided the cumulative gross floor area does not exceed twenty-five (25) percent of the cumulative gross floor area of the building occupying the restaurant use. All such areas shall only be permitted within the building occupying the restaurant use.

3. Restaurant with Drive-Through Service:

   a. Restaurants permitted in combination with other uses shall only be permitted if specified by this Zoning Ordinance.

   b. All permitted drive-through service lanes serving a restaurant shall be located along the side or rear of the building occupied by the restaurant.

   c. The restaurant may contain an accessory area devoted to outdoor eating provided the cumulative surface area or gross floor area does not exceed ten (10) percent of the total number of seats within the building occupying the restaurant use.

   d. The restaurant may contain an accessory area devoted to a bar room, taproom, lounge and/or social area provided the cumulative gross floor area does not exceed twenty-five (25) percent of the cumulative gross floor area of the building occupying the restaurant use. All such areas shall only be permitted within the building occupying the restaurant use.

4. Restaurant as a BYOB:

   a. Restaurants permitted in combination with other uses shall only be permitted if specified by this Zoning Ordinance.

   b. The restaurant shall contain no drive-through service lanes.

   c. The restaurant may contain bring your own bottle (BYOB) provisions provided that the possession and consumption activities are in accordance with all pertinent local, state and federal laws. In addition, the following provisions shall specifically apply to restaurant with BYOB provisions:

      (1) A Zoning Permit shall be required in order to operate a restaurant with BYOB provisions. All permit applications shall comply with the provisions specified under Section 23680 of this Zoning Ordinance.

      (2) All rules and regulations of the Pennsylvania Liquor Control Board shall be complied with by the proprietor, owner and employees of the restaurant with BYOB provisions. The proprietor, owner and employees shall be held liable for any violations of the Pennsylvania Liquor Code and/or other agencies with jurisdiction.

   d. A restaurant with BYOB provisions shall not have a bar room or have a bar service area.

5. Outdoor Seating and Entertainment: Where permitted, the following provisions shall apply:

   a. The outdoor seating area is situated and designed so as not to be adversely impacted by potential nearby adjoining uses, nor to adversely impact nearby uses;

   b. The outdoor seating area shall be accessory to the principal interior seating accommodations;

   c. During use, the outdoor seating area shall be continuously supervised by the owner or an employee of the restaurant.

   d. Any exterior lighting serving the outdoor seating area shall be designed and operated so as not to constitute a nuisance to adjoining properties. All such exterior lighting shall not be illuminated after 10:00 pm;

   e. Any exterior music serving such outdoor seating area shall not be not be detected at the property line. All such exterior music shall not be transmitted or played after 10:00 pm;

f. The applicant shall furnish and implement a working plan for the continuous cleanup of litter and debris that may result from such outdoor seating; and

g. All exterior seating shall be removed during seasons when not in use.

D. General Requirements: The following general requirements shall apply to a restaurant:

1. The restaurant and/or cafeteria as an accessory use shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The restaurant and/or cafeteria as an accessory use shall be serviced by public water supply facilities (where3 available) or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the restricted recreation use shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services shall be installed underground.

4. The handling, preparation, storage, cooking, assemblage, distribution, serving and/or discarding of food and beverages shall comply with all pertinent local, state and federal laws or codes for such activities.

5. Where permitted, the drive-through service lane shall be designed with sufficient on-site stacking or queuing lanes in order to prevent the traffic congestion and/or the back-ups onto adjoining roads or adjacent properties. The pre-service or drive-through service lane for the restaurant shall be at least ten (10) feet in width and one hundred (100) feet in length.

6. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

7. Provisional parking spaces for pick-up and/or delivery may be permitted provided that such parking spaces are in addition to the required number of parking spaces specified Section 22160 (Off-Street Parking) of this Zoning Ordinance. No more than five (5) provisional parking spaces for pick-up and/or delivery shall be provided for the restaurant.

Section 23690: Retail Bakery or Confectioner

A. Retail bakery or confectioner, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. A retail bakery or confectioner without a drive-through service lane shall be permitted as a principal use by right within the C-1, C-2, MU, BH, VG and VC Zoning Districts.

2. A retail bakery or confectioner with a drive-through service lane shall be permitted by special exception within the C-2 Zoning District.

3. A retail bakery or confectioner with or without a drive-through service lane shall be permitted by right within the C-3 and BP Zoning Districts.

Section 23690: Retail Bakery or Confectioner															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right					P	P	P 1			P 1	P	P	P	P	
Special Exception						P 1									
Conditional Use															
P = Principal Use				A = Accessory Use				1 = Drive-Through Service Requirements							

B. The chart contained under Section 23690.A of this Zoning Ordinance has been provided as a general reference guide. Section 23690 and underlying zoning districts provide specific regulations for a retail bakery or confectioner use.

C. General Requirements: The following general requirements shall apply to a retail bakery or confectioner use:

1. The retail bakery or confectioner use shall be serviced by public sanitary sewer facilities (where available), which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The retail bakery or confectioner shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall consistent any ordinances adopted by East Lampeter Township.

3. The use shall comply with all pertinent food handling, preparation and distribution requirements as well as all health code requirements, including those specified by the Pennsylvania Department of Agriculture as well as other state or federal agencies with jurisdiction.

4. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

5. The applicant shall furnish evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, noise, light, dust, smoke, litter and pollution.

6. A retail bakery or confectioner with a drive-through service lane may be within the C-2 and C-3 Zoning Districts. If permitted, the following criteria shall apply:

   a. The drive-through service lane shall be located along the side and/or rear of the building.

   b. No more than one (1) drive-through service lane shall be permitted.

   c. The drive-through service lane shall be designed with sufficient on-site stacking or queuing lanes in order to prevent the traffic congestion and/or the back-ups onto adjoining roads or adjacent properties. The pre-service or drive-through service lane for the restaurant shall be at least ten (10) feet in width and sixty (60) feet in length.

7. The handling, preparation, storage, cooking, assemblage, distribution, serving and/or discarding of food and beverages shall comply with all pertinent local, state and federal laws or codes for such activities.

Section 23700: Retail Sales

A. Retail sales, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. Retail sales of crafts with accessory manufacturing and assembly uses shall be permitted by right within the BH, VG and VC Zoning Districts.

2. Retail sales of goods produced on-site shall be permitted by right within the I-1, I-2 and BP Zoning Districts.

3. Retail sales of accessory items within the MU Zoning District shall be permitted by right within the MU Zoning District.

4. Retail sales with no drive-through service lanes shall be permitted by right within the C-1, C-2, C-3, BP, BH, MU, VG and VC Zoning Districts.

5. Retail sales with a drive-through service lane shall be permitted by right within the C-3 and BP Zoning Districts.

6. Retail sales with a drive-through service lane shall be permitted by special exception within the C-1 and C-2 Zoning District.

Section 23700: Retail Sales															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right					P 3	P 3	P 3, 4	A 2	A 2	A 2, 3, 4	P, A 3	P, A 1, 3	P, A 1, 3	P, A 1, 3	
Special Exception					P 4	P 4									
Conditional Use															
P = Principal Use			A = Accessory Use												
1 = Retail sales of crafts with accessory manufacturing								2 = Retail sales of goods produced on-site							
4 = Retail sales with no drive-through service lane								5 = Retail sales with a drive-through service lane							

B. The chart contained under Section 23700.A of this Zoning Ordinance has been provided as a general reference guide. Section 23700 and underlying zoning districts provide specific regulations for the retail sales use.

C. Permitted Uses and Land Use Restrictions

1. Retail Sales of Crafts with Accessory Manufacturing: The retail sales use shall exclusively pertain to crafts, which may include accessory manufacturing and assembly uses that relate to the crafts, provided that such accessory uses do not occupy more than forty (40) percent of the gross floor area of the building occupying the principal use or two thousand four hundred (2,400) square feet of gross floor area of the building occupying the principal retail use, whichever is less.

2. Retail Sales of Goods Produced On-Site: The accessory retail sales use shall exclusively pertain to goods that are produced on-site, which shall be located within a building occupied by the principal use in which the retail sales area does not exceed five thousand (5,000) square feet of gross floor area or fifteen (15) percent of the total gross floor area of the building, whichever is less

3. Unless specifically permitted, the retail sales use shall contain no drive-through service lanes

4. A drive-through service lane may be permitted by special exception as part of a retail use within the C-2, C-3 and BP Zoning Districts, subject to the following provisions:

   a. The drive-through service lane shall be located along the side and/or rear of the building occupied by the permitted retail use.

   b. The retail sales use shall contain no more than one (1) drive-through service lane. All permitted drive-through service lanes serving a retail sales use shall be located along the side or rear of the building occupying the retail sales use.

   c. The proposed pre-service or drive-through service lane shall be designed with sufficient on-site stacking or queuing lanes in order to prevent the traffic congestion and/or the back-ups onto adjoining roads or adjacent properties. The pre-service or drive-through service lane for the retail use shall be at least ten (10) feet in width and one hundred (100) feet in length.

5. A retail store shall not include adult uses, convenience stores, home improvement, grocery stores, building supply stores and/or shopping center, which are principal uses that are further defined and regulated by this Zoning Ordinance.

D. General Requirements: The following general requirements shall apply to the retail sales uses:

1. The retail sales use shall be serviced by public sanitary sewer facilities (where available), which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The retail sales use shall be serviced by public water supply facilities (where available) or on-lot water supply facilities which shall be consistent with any plans adopted by East Lampeter Township.

3. All other utility provisions serving the retail use shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services shall be installed underground.

4. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

5. The retail use shall comply with all pertinent food handling, preparation and distribution requirements as well as all health code requirements, including those specified by the Commonwealth of Pennsylvania.

Section 23710: Roadside Stand for the Sale of Agricultural and Horticultural Products

A. Roadside stand for the sale of agricultural and horticultural products, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. Roadside stands shall be permitted by right within the AG Zoning District.

2. Roadside stands shall be permitted by special exception within the R-1, R-2, R-3 and BP Zoning Districts.

Section 23710: Roadside Stand for the Sale of Agricultural and Horticultural Products															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right	A														
Special Exception		A	A	A						A					
Conditional Use															
P = Principal Use				A = Accessory Use											

B. The chart contained under Section 23710.A of this Zoning Ordinance has been provided as a general reference guide. Section 23710 and the underlying zoning districts provide specific regulations for a roadside stand.

C. Terminology: For the purpose of this Zoning Ordinance, the term "roadside stand for the sale of agricultural and horticultural products" shall be synonymous with "roadside stand".

D. Permitted Uses: The roadside stand may be permitted as an accessory use to an agricultural and/or horticultural use provided that the produce or products have been produced by the farmer or the farmer's family on their farm.

E. General Requirements: The following general requirements shall apply to a roadside stand:

1. At least fifty (50) percent of the agricultural and/or horticultural products sold at the roadside stand shall have been produced on the property.

2. The total display or sales area of the agricultural and/or horticultural products sold at the roadside stand shall be limited to five hundred (500) square feet.

3. The roadside stand shall be shall comply with the front yard setback requirement of the zoning district on which it is located. In no case shall the roadside stand be placed within the limits of the street right-of-way.

4. Off-street parking areas shall be designed, located and constructed in a manner considering the customer vehicles entering and exiting the property. All off-street parking and loading areas shall be maintained as mud-free conditions located outside of the street right-of-way and shall not create a traffic hazard.

Section 23720: Salvage Yard

A. Salvage yard, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as a principal use by special exception within the I-2 Zoning District.

Section 23720: Salvage Yard															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right															
Special Exception									P 1						
Conditional Use															
P = Principal Use			A = Accessory Use				1 = Special Design Standards and Development Requirements								

B. The chart contained under Section 23720.A of this Zoning Ordinance has been provided as a general reference guide. The provisions that are contained under Section 23720 and the underlying zoning district provide specific regulations for salvage yard.

C. Area and Utility Requirements: The following general provisions shall apply to a salvage yard:

1. A salvage yard shall be located on a conforming containing a minimum lot area of five (5) acres and a maximum lot area of ten (10) acres.

2. Salvage yard shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. Salvage yard shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. All other utility provisions serving the salvage yard shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground

D. Lot Width, Setback, Coverage and Height Requirements: The salvage yard use shall comply with the following lot width, setback, coverage and height requirements.

1. The minimum lot width for the salvage yard shall be three hundred (300) feet.

2. The principal buildings located on the lot occupied by the salvage yard use shall be located at least one hundred (100) feet from all street rights-of-way lines.

3. The accessory buildings and structures located on the lot occupied by the salvage yard use shall be located at least one hundred feet (100) feet from all street rights-of-way lines and property lines.

4. The salvage yard shall be completely contained by a perimeter fence with a minimum o six (6) feet in height, which shall be designed, located and installed in order to block the view of the salvage yard from adjacent properties. The perimeter fence shall be located a minimum of fifty (50) feet from all street right-of-way lines and property lines.

5. The permanent or temporary storage of all vehicles, equipment and other materials that are part of the salvage yard use shall be located and contained within the limits of the perimeter fence.

E. General Requirements: The following general requirements shall apply to a salvage yard use:

1. The salvage yard shall comply with all state and federal guidelines for solid waste management.

2. All materials and equipment contained within the salvage yard shall be stored and arranged to permit access by emergency service responders, including their vehicles and equipment.

3. All materials and equipment contained within the salvage yard shall be stored and arranged so it does not exceed a height of eight (8) feet.

4. All activities shall not pose a threat to the health, safety and/or general welfare of any property or use within East Lampeter Township. The landowner shall design, construct and implement appropriate safeguards.

5. The landowner shall provide East Lampeter Township and all local emergency service responders (police, fire and ambulance) with a complete list of materials, chemical and/or substances that are typically stored or maintained on the property that could be considered hazardous or dangerous to the employees, visitors and/or emergency service responders.

6. The stormwater generated, stored, transported and/or discharged shall be subject to the review and approval of East Lampeter Township and the Pennsylvania Department of Environmental Protection.

7. The salvage yard area within the limits of the perimeter fence shall be graded to have a maximum slope of five (5) percent.

8. A Landscaping Plan shall be prepared to consider the following requirements:

    a. The external portion of the perimeter fence shall be adequately screened with a fifteen (15) foot wide landscaped strip or buffer yard, which shall comply with the provisions of this Zoning Ordinance and the Subdivision and Land Development Ordinance.

    b. The setback area between the perimeter fence and the property lines shall be properly maintained as a yard area, which shall be kept free of weeds and scrub growth

    c. Uses involving outdoor activities and/or display shall provide sufficient screening and/or landscaping measures to mitigate visual and/or audible impacts on adjoining properties.

    d. The landscaping strip or buffer yard shall be comprised of trees, shrubs and other plantings that will establish a complete visual barrier within five (5) years of the initial planting.

9. The use and related activities shall not emit noise, glare, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat and/or other perceptible or objectionable nuisances that would impact neighboring properties, or be noticeable at or beyond the property line.

10. The salvage yard use and related activities shall not create a breeding ground or harboring area for rodents, flies and other vectors that would impact adjacent properties or be considered a detriment to the health, safety and general welfare of adjacent landowners.

11. All hazardous waste, toxic waste, infectious waste, and other similar items, which because of its potential health risks, shall be discarded in a manner specified by local, state and federal laws.

12. All lubricants, fuel and/or petroleum products shall be contained within a permitted building, structure and/or containment facility that complies with local, state and federal laws.

13. All lubricants, fuel and/or petroleum products shall be drained from scrapped or discarded vehicles shall be drained and removed from the premises within twenty-four (24) hours from the time that such vehicle was delivered to the salvage yard.

14. Burning and/or melting of any material shall be prohibited.

Section 23730: Satellite Communications

A. Satellite communications utilized for receiving or transmitting signals, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. A satellite receiving and/or transmitting dish antenna with a maximum diameter of three (3) feet, which is either mounted to the side or rear building façade or the side or rear roof line shall be permitted as an accessory use by right within the R-1, R-2, R-3, C-1, C-2, MU, BH, VG, VC and VR Zoning Districts.

2. A satellite receiving and/or transmitting dish antenna with a maximum diameter of three (3) feet, which is either mounted to the front building façade, the front roof line or ground mounted (side or rear yard) shall be permitted by special exception within the R-1, R-2, R-3, C-1, C-2, MU, BH, VG, VC and VR Zoning Districts.

3. A satellite receiving and/or transmitting dish antenna with a maximum diameter of six (6) feet, which is either mounted to the side or rear building façade or the side or rear roof line shall be permitted as an accessory use by right within the AG, C-3, I-1, I-2 and BP Zoning Districts.

4. A satellite receiving and/or transmitting dish antenna with a maximum diameter of six (6) feet, which is either mounted to the front building façade, the front roof line or ground mounted (side or rear yard) shall be permitted by special exception within the AG, C-3, I-1, I-2 and BP Zoning Districts.

Section 23730.1: Satellite Communications (Receiving and Transmitting)															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right	A 3	A 1	A 1	A 1	A 1	A 1	A 3	A 3	A 3	A 3	A 1	A 1	A 1	A 1	A 1
Special Exception	A 4	A 2	A 2	A 2	A 2	A 2	A 4	A 4	A 4	A 4	A 2	A 2	A 2	A 2	A 2
Conditional Use															
P = Principal Use							A = Accessory Use								
1 = Maximum 3 foot diameter; side or rear building façade mounted							2 = Maximum 3 foot diameter; front façade or ground mounted								
3 = Maximum 6 foot diameter; side or rear building façade mounted							4 = Maximum 6 foot diameter; front façade or ground mounted								

B. The chart contained under Section 23730.A of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23730 and the provisions of the underlying zoning district shall apply to a satellite receiving and/or transmitting dish antenna.

C. General Requirements: The following general requirements shall apply to a satellite dish antenna utilized for receiving or transmitting communications as part of the permitted principal use.

1. The satellite communications utilized for receiving and/or transmitting signals shall comply with all pertinent state and federal laws.

2. No more than two (2) satellite dish shall be permitted be permitted per principal use.

3. All installations shall comply with all use, yard, height and setback requirements specified by the Zoning District on which the satellite dish antenna is located.

4. Building-mounted or roof-mounted satellite dish antenna shall only be permitted by right if they are mounted at least five (5) feet behind front face of building, subject to the following criteria:

a. The mount and satellite dish antenna cannot project more than five (5) feet from building face and the mount and antenna must be at least eight (8) feet above grade.

b. The satellite dish antenna cannot project above the roof peak on which it is mounted upon.

c. The allowance of a satellite dish antenna(s) shall in no way place liability upon East Lampeter Township for the obstruction of the antenna's reception window due to permitted construction on adjoining or nearby properties. Any arrangements made to protect the antenna's reception window shall be between private parties, and not East Lampeter Township.

5. Alternate building or roof mounting may be permitted if the applicant can demonstrate that compliance with the applicable yard, setback, and height restrictions would result in the obstruction of the antenna's reception window, and such obstruction involves factors beyond the applicant's control.

6. Where permitted, all installations shall be securely anchored to the ground to prevent detachment during foul weather conditions. The applicant shall furnish evidence (statements and/or drawings) indicating the foundation method to be employed

7. All satellite dish antennas, mounts and wiring shall be removed when it is no longer in service.

Section 23740: School

a. School, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. School as a commercial use shall be permitted as a principal use by right within the C-1, C-2, I-1, I-2, BP, MU, BH VG and VC Zoning Districts. For the purposes of this Zoning Ordinance, the term "school as a commercial use" may also be referenced as "commercial school".

2. School as a public or private use shall be permitted as a principal use by right within the C-1, I-1, I-2, BP and MU Zoning Districts. For the purposes of this Zoning Ordinance, the term "school as a public or private use" may also be referenced as "public or private school".

3. School as a public or private use with a maximum twelfth (12^{th}) grade attainment level shall be permitted as a principal use by right within the R-2, R-3, BH, VG and VC Zoning Districts and by special exception within the AG and R-1 Zoning Districts. For the purposes of this Zoning Ordinance, the term "school as a public or private use with a 12^{th} grade attainment level" may also be referenced as "public or private school with a maximum 12^{th} grade attainment level".

4. School as a vocational, mechanical or trade use shall be permitted as a principal use by right within the I-2 and BP Zoning Districts. For the purposes of this Zoning Ordinance, the term "school as a vocational, mechanical or trade use" may also be referenced as "vocational, mechanical or trade school".

Section 23740: School															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right			P 3	P 3	P 1, 2	P 1		P 1, 2	P 1, 2, 4	P 1, 2, 4	P 1, 2	P 1, 3	P 1, 3	P 1, 3	
Special Exception	P 3	P 3													
Conditional Use															

P = Principal Use	A = Accessory Use
1 = commercial school no minimum age or grade attainment level	2 = public or private school with no maximum grade attainment level
3 = public or private school with maximum 12^{th} grade attainment level	4 = vocational, mechanical or trade school

b. The chart contained under Section 23740.A of this Zoning Ordinance has been provided as a general reference guide. Section 23740 and the underlying zoning districts provide specific regulations for a school.

c. Permitted Uses: The following principal and accessory uses shall be permitted as part of a school.

1. The principal use shall include the school and activities that are contained within a building or defined outdoor area.

2. Accessory or subordinate uses for the school use shall be limited to: cafeterias; concession stands; administrative offices; libraries; recreational uses; child care facilities; religious uses; locker rooms; storage areas; and other similar uses. The cumulative gross floor area for all such accessory uses shall not occupy more than forty (40) percent of the cumulative gross floor area of all combined uses within the building occupied by the school. The accessory uses shall only be made available to the occupants of the school use.

3. Accessory recreation facilities may be located on the same lot as the school.

4. The following provisions shall apply to students or persons attending the school:

   a. All permitted uses shall be primarily utilized by the students enrolled at the school. The age and grade attainment levels shall be specified by the underlying zoning district.

   b. If permitted, the school facilities may be open to other residents and landowners within the school district limits or active members of the organization operating a private school.

   c. Visitors may attend sanctioned or authorized events at the school.

d. Setback, Coverage and Height Requirements: The following specific setback, coverage and height requirements shall apply to a school:

1. The minimum lot width for the school use shall be two (200) hundred feet.

2. The principal and accessory buildings located on the lot occupied by a school shall be located at least fifty (50) feet from all street right-of-way lines and all other property lines.

3. No more than fifty (50) percent of the lot shall be covered by buildings.

4. No more than seventy (70) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving,

5. The maximum height of any building or structure shall not exceed fifty (50) feet, as measured from the average ground elevation to the highest point of the building or structure.

6. The school use shall maintain the following setback requirements from other uses:

   a. No part of a school property shall be located within one thousand (1,000) feet of an adult use.

   b. No part of a school property shall be located within three hundred (300) feet of an automobile service station.

   c. No part of a school property shall be located within three hundred (300) feet of any use that handles and/or distributes petroleum products in bulk quantities.

   d. No part of a school property shall be located within three hundred (300) feet of a concentrated animal feeding operation (CAFO) or concentrated animal operation (CAO).

   e. No part of a school property shall be located within one thousand (1,000) feet of an off-track betting facility or gaming facility.

e. Traffic Control: The following provisions shall apply to vehicular accessibility, parking, loading and other traffic control requirements for a school:

1. The pick-up area and drop-off area shall be designed with sufficient on-site stacking or queuing lanes in order to prevent the traffic congestion and/or the back-ups onto adjoining roads or adjacent properties.

2. The requirements for off-street loading and parking will be determined based upon the highest number of parking spaces or demand for any specified use or activity that requires parking spaces on the property

occupied by the school and the compliance chart specified under Sections 22150 and 22160 of this Zoning Ordinance. As part of the land development plan application, East Lampeter Township may permit overflow parking on designated lawn areas in accordance with the following criteria:

a. The overflow parking area shall only be utilized in order to accommodate the parking demand during peak events or for the combination of events at the school.

b. The overflow parking area shall be accessible only from the interior driveways or access lanes for the parking facility, which shall be located, designed and fenced to prevent motor vehicles from crossing adjoining properties or directly accessing public roads.

c. Soil erosion, sedimentation control, and stormwater runoff shall be managed in accordance with all applicable laws and regulations.

d. If East Lampeter Township determines that traffic congestion is occurring along adjoining roads, and that the traffic congestion is directly related to the size or design of the overflow parking area, East Lampeter Township shall require the landowner, manager or applicant to revise and re-design off-street parking facilities in order to resolve the traffic congestion problem and/or provide additional on-site parking spaces to accommodate the parking demand during peak events or for the combination of events at the school as a commercial use.

3. Unless otherwise permitted by East Lampeter Township, the school shall include a clearly defined internal pedestrian circulation system, which shall be designed considering the following criteria:

a. Sidewalks and/or pedestrian pathways shall be provided along public and private streets.

b. All permitted uses within property occupied by the school use shall be linked with sidewalks and/or pathways to facilitate safe and convenient pedestrian movement.

c. Sidewalks shall be provided from the school to: nearby regional mass transit facilities; any adjacent developments from which students would reasonably be expected to walk; any adjacent undeveloped lands zoned for development from which students would reasonably be expected to walk in the future; adjacent community facilities; and to other areas determined appropriate by East Lampeter Township.

d. Crosswalks shall be provided to facilitate student circulation for the school.

e. The pedestrian or student circulation system shall comply with the requirements specified by East Lampeter Township. Alternative designs may be considered by East Lampeter Township if the applicant can demonstrate that the alternative design will not be detrimental to external or internal student or pedestrian circulation.

4. Where a mass transit system provides service along a street adjacent to the school, or where such mass transit system is proposed as part of an adopted municipal or regional transportation plan to serve the area of the school use, a designated pick-up or drop-off shelter shall be located along such street, or within such commercial school use, or at some alternate location, as may be identified by the mass transit company or East Lampeter Township.

f. General Requirements: The following general requirements shall apply to a school:

1. The school shall be serviced by public sanitary sewer facilities (where available), which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The school use shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the school shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

4. The landowner and/or applicant shall furnish valid permits, licenses and/or certifications to operate the school use and facilities located on the property.

5. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

Section 23750: Self-Storage Facility

A. Self-storage facility, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. A self-storage facility, as a principal use, shall be permitted by right within the C-1, I-1, I-2 and BP Zoning Districts.

2. A self-storage facility, as a principal use, shall be permitted by right within the VG provided that the maximum lot area does not exceed 2 acres.

Section 23750: Self-Storage Facility															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right					P			P	P	P			P 1		
Special Exception															
Conditional Use															
P = Principal Use			A = Accessory Use					1 = Lot Size Requirement							

B. The chart contained under Section 23750.A of this Zoning Ordinance has been provided as a general reference guide. Section 23750 and the underlying zoning district provide specific regulations for self-storage facility.

C. Permitted Uses: The following provisions shall specifically apply to the permitted and prohibited uses contained within a self-storage facility:

1. The principal use shall be the self-storage units contained on the lot.

2. One (1) office area or building may be included within the development site. The office use shall be an accessory use to the self-storage or portable storage facilities and shall not exceed 1,000 square feet of gross floor area.

3. Self storage facilities shall be used solely for the storage of personal property. The following uses and activities shall be prohibited:

a. On-site auctions, except storage lien auctions;

b. Wholesale uses, retail sales uses and garage sales;

c. Residential occupancy;

d. The storage of flammable, high combustible, explosive or hazardous chemicals shall be prohibited;

e. The servicing, repair, or fabrication of motor vehicles, motor cycles, boats, trailers, lawn mowers, appliances, or similar equipment;

f. The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment; and

g. Any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations; retail sales and services; residential uses; and other similar non-compatible uses.

4. A building utilized to store portable storage units or individual compartmental storage units shall be classified as a warehouse facility, which shall be subject to the provisions specified under Section 23870 of this Zoning Ordinance.

5. A climate controlled building utilized for personal storage shall be subject to the provisions specified under Section 23870 of this Zoning Ordinance.

D. Lot Width, Setback, Coverage and Height Requirements: The self-storage facility use shall comply with the following lot width, setback, coverage and height requirements.

1. The minimum lot width for the self-storage facility shall be two hundred (200) feet.

2. The principal buildings and self-storage facilities located on the lot occupied by the self-storage facility use shall be located at least fifty (50) feet from all street rights-of-way lines.

3. The outdoor storage and/or parking of recreational vehicles, boats, campers, trailers or similar vehicles, shall only be permitted behind the self-storage buildings and shall be located at least fifty (50) feet from any property line.

4. No more than fifty (50) percent of the lot shall be covered by buildings.

5. No more than seventy (70) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving,

6. The maximum height of any building or structure shall not exceed fifty (50) feet, as measured from the average ground elevation to the highest point of the building or structure.

E. General Requirements: The following general requirements shall apply to a self-storage facility use with no defined limitations on gross floor area:

1. The self-storage facility shall be serviced by public sanitary sewer facilities (where available) or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The self-storage facility shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans adopted by East Lampeter Township.

3. All other utility provisions serving the self-storage facility shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

4. Each self-storage building shall be a fully enclosed building that shall be built of durable materials on a permanent foundation.

5. Truck trailers, box cars or similar structures shall not be used as storage units.

6. If required by East Lampeter Township, the perimeter around the self-storage units shall be enclosed and contained by an eight (8) foot security fence, with a twenty-four (24) hour automated access gate.

7. The entrance and all vehicular access aisles shall be a minimum of twenty-four (24) feet in width and shall be unobstructed by vehicles and/or equipment. The entrance or main entrance shall be paved and landscaped from the cartway of the public road to a point fifty (50) feet within the automated access gate

Section 23760: Shooting Range

A. Shooting range, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted as a principal use by special exception within the AG Zoning District.

Section 23760: Shooting Range															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right															
Special Exception	P														
Conditional Use															
P = Principal Use				A = Accessory Use											

B. The chart contained under Section 23760.A of this Zoning Ordinance has been provided as a general reference guide. Section 23760 and the underlying zoning districts provide specific regulations for shooting range.

C. Permitted Uses: The following principal and accessory uses shall be permitted as part of a shooting range:

1. The principal use shall include uses and activities relating to the shooting range that are contained within a building or defined outside area, which is exclusively available to its customers or members during specified periods of time. All principal uses that are contained within the shooting range shall be subject to the review and approval of East Lampeter Township.

2. Accessory or subordinate uses for the shooting range shall be subject to the review and approval of East Lampeter Township. If accessory uses are permitted, they should only be made available to the landowners, customers and members specified periods of time.

3. The following provisions shall apply to the uses and activities associated with the shooting range:

   a. The shooting range shall not substantially damage, harm and/or detract from the lawful existing use or permitted uses of neighboring properties.

   b. The shooting range shall not adversely affect the health, safety and/or welfare of residents or property owners within the general neighborhood.

   c. The operation must be conducted in compliance with all applicable laws, rules, and regulations regarding the discharge of a firearm.

   d. Live ammunition shall be stored in an approved safe or secured area within the building. The amount of ammunition that may be stored on the property is limited to the amount that is used within a twenty-four (24) hour period.

   e. The number of shooters using the facility at any one time shall be limited to the number of firing points or stations identified on the land development plan.

   f. The operator of the shooting range shall require all shooters to satisfactorily complete an orientation safety program given and approved by the National Rifle Association, or shall require them to show a valid hunting permit or gun permit before being permitted to discharge a firearm at the facility.

   g. Firing hours shall be limited to the hours between one (1) hour after official sunrise and one (1) hour preceding official sunset.

4. Recreation uses shall be permitted in accordance with the provisions specified by this Zoning Ordinance.

D. Area and Utility Requirements: The following lot area and utility provisions shall apply to a shooting range:

1. A shooting range shall be located on a lot containing a minimum of five (5) acres.

2. The shooting range shall be serviced by public or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. The shooting range shall be serviced by public or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. All other utility provisions serving the shooting range shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

E. Setback, Coverage and Height Requirements: The following setback, coverage and height requirements shall apply:

1. All buildings that are required to contain the principal and accessory uses shall be located at least one hundred (100) feet from any street right-of-way line and property line.

2. All portions of the shooting range or recreation area, which are located and conducted outside of the principal building shall be located at least one hundred (100) feet from any street right-of-way line and property line.

3. All other accessory uses associated with the shooting range shall be located at least fifty (50) feet from any street right-of-way line and property line.

4. No part of a shooting range property shall be located within one thousand five hundred (1,500) feet of any land within the R-1, R-2, R-3, MU, BH, VG, VC and VR Zoning District.

F. General Requirements: The following requirements shall apply to safety and security measures for the shooting range:

1. The land development plan shall identify the "safety fan" for each firing range.

2. The safety fan shall include an area sufficient to contain all projectiles, including direct fire and ricochet. The Safety Fan configuration shall be based upon qualified expert testimony regarding the trajectory of the bullet and the design effectiveness of berms, overhead baffles, and any other proposed safety barriers to contain projectiles to the Safety Fan.

3. The firing range, including the entire safety fan, shall be enclosed by an eight (8) foot high, non-climbable perimeter fence to prevent unauthorized entry into the area.

4. Range caution signs with eight (8) inch high, red letters on a white background shall be posted around the perimeter of the firing range at intervals of not more than one hundred (100) feet. Such signs shall read "SHOOTING RANGE AREA. KEEP OUT"

5. Range flags shall be displayed during all shooting activities. The range flags shall be located in a manner visible from entrance drives, target areas, the range floor, and the perimeter of the safety fan.

6. All surfaces located within the safety fan, including the backdrop, overhead baffles, berms, and range floor shall be free of hardened surfaces, such as rocks or other ricochet-producing materials.

7. Consumption of alcoholic beverages shall be limited to days when there are no shooting activities or when the shooting activities are completed for that day. The operator of the facility shall limit the locations where alcoholic beverages may be consumed to designated areas located away from the firing points or stations.

Section 23770: Shopping Center

A. Shopping center, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. A shopping center that does not qualify as a regional impact development, as specified by Section 23640 of this Zoning Ordinance, shall be permitted by right within the C-1, C-2, C-3, BP and MU Zoning Districts.

2. A shopping center that does qualify as a regional impact development, as specified by Section 23640 of this Zoning Ordinance, shall be permitted by conditional use within the C-1, C-2, C-3, BP and MU Zoning Districts.

Section 23770: Shopping Center															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right					P 1	P 1	P 1			P 1	P 1				
Special Exception															
Conditional Use					P 2	P 2	P 2			P 2	P 2				
P = Principal Use			A = Accessory Use				1 = shopping center that does no qualify as a regional impact development								
2 = shopping center that does qualify as a regional impact development															

B. The chart contained under Section 23770.A of this Zoning Ordinance has been provided as a general reference guide. Section 23770 and underlying zoning districts provide specific regulations for a shopping center use.

C. Permitted Uses: A shopping center shall comply with the following provisions relating to permitted principal, accessory and subordinate uses:

1. The shopping center may contain the following principal uses: home improvement or building supply stores; financial institutions; grocery stores; medical, dental, vision care and counseling clinics; offices; personal service facilities; recreation uses; educational uses; nursery; retail uses; restaurants; theaters; municipal uses; and/or other similar uses.

2. The shopping center may contain building envelopes and pad sites for the proposed uses. The applicant shall identify the proposed or potential uses within the shopping center on the land development plan. All such uses shall be subject to the review and approval of East Lampeter Township.

3. Any subsequent substitution of uses within the shopping center shall be permitted by right as long as the proposed use is permitted by right within the underlying zoning district on which the shopping center is located and provided that the proposed use was identified as a potential use within the shopping center on the approved land development plan.

4. Future uses to be substituted that require separate special exception or conditional use approval, shall follow such review and approval processes, as specified by this Zoning Ordinance.

5. Signs shall be permitted as an accessory use by right for a shopping center containing less than fifteen (15) acres. All such signs shall be reviewed and considered as part of the conditional use application and land development plan.

6. A shopping center containing more than one hundred thousand (100,000) square feet of gross floor area shall comply with the regional impact development provisions specified under Section 23640 of this Zoning Ordinance.

D. Utility Requirements: The following utility provisions shall apply to a shopping center::

1. The shopping center shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The shopping center shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

3. All other utility provisions serving the shopping center shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

E. Traffic Control: The following provisions shall apply to vehicular accessibility, parking, loading and other traffic control requirements for a shopping center:

1. The primary points of ingress and egress for the shopping center shall be located along a collector or arterial street.

2. Drive-through service lanes for any use contained within the shopping center shall connect only to internal access drives and parking lots.

3. In addition to vehicular access to the property, the landowner shall be required to design and construct pedestrian and horse-and-buggy linkages, which shall be located to provide safe and convenient access within the shopping center. In addition, the landowner shall provide one (1) shaded, tie-up space for a horse and buggy for each fifty thousand (50,000) square feet of gross floor area.

4. The shopping center shall include a clearly defined internal pedestrian circulation system, which shall be designed considering the following criteria:

   a. Sidewalks shall be provided along public and private streets.

   b. All permitted uses within the shopping center shall be linked with sidewalks and/or crosswalks to facilitate safe and convenient pedestrian movement.

   c. Sidewalks shall be provided from the shopping center to: nearby regional mass transit facilities; any adjacent developments from which customers, patrons or employees would reasonably be expected to walk; adjacent community facilities; and to other areas to improve pedestrian circulation.

   d. Crosswalks shall be provided to facilitate student circulation for the shopping center.

   e. The pedestrian circulation system shall comply with the requirements specified by East Lampeter Township. Alternative designs may be considered if the applicant can demonstrate that the alternative design will not be detrimental to external or internal pedestrian circulation.

5. Where a mass transit system provides service along a street adjacent to the shopping center, or where such mass transit system is proposed as part of an adopted municipal or regional transportation plan to serve the area of the shopping center, a designated pick-up or drop-off shelter shall be located along such street, or within the shopping center, or at some alternate location, as may be identified by the mass transit company or East Lampeter Township.

F. Special Design Criteria: Chart 23770.1 of this Zoning Ordinance provides the general design requirements for a shopping center within East Lampeter Township.

Chart 23770.1: Shopping Center Design Requirements				
Lot Area, Dimensional and General Design Requirements		**Shopping Center with less than 75,000 square feet of gross floor area**	**Shopping center between 75,000 and 150,000 square feet of gross floor area**	**Shopping center with over 150,000 square feet of gross floor area**
Minimum Lot Area		Refer to the requirements of the Zoning District	Refer to the requirements of the Zoning District	Refer to the requirements of the Zoning District
Minimum Lot Width		250 feet	400 feet	500 feet
Minimum Building Setback	**Front Yard**	35 feet	50 feet	100 feet
	Side Yard	25 feet	35 feet	50 feet
	Rear Yard	25 feet	50 feet	75 feet
	From a Residential Zoning District	50 feet	75 feet	100 feet
Maximum Building Coverage		60 percent	50 percent	50 percent
Maximum Lot Coverage		75 percent	70 percent	65 percent
Maximum Building Height		Refer to the requirements of the Zoning District	Refer to the requirements of the Zoning District	Refer to the requirements of the Zoning District
Parking and Loading	**Loading Spaces**	1 space per 25,000 square feet of gross floor area	1 space per 25,000 square feet of gross floor area	1 space per 50,000 square feet of gross floor area
	Parking Spaces	3.5 spaces per 1,000 square feet of gross floor area	3.5 spaces per 1,000 square feet of gross floor area	3.5 spaces per 1,000 square feet of gross floor area
	Interior Landscaping	5 percent of the parking area that is open to the sky	10 percent of the parking area that is open to the sky	15 percent of the parking area that is open to the sky
Other Design Requirements		Refer to the requirements of the Zoning District and Section 23770	Refer to the requirements of the Zoning District and Section 23770	Refer to the requirements of the Zoning District and Section 23770

Note: Chart 23770.1 of this Zoning Ordinance has been provided as a general reference guide. Section 237770 and the underlying zoning districts provide specific regulations for a shopping center.

Section 23780: Single-Family Attached Dwelling as a 2nd Dwelling on a Farm

A. A single-family attached dwelling as a 2nd dwelling shall be permitted as a principal use by special exception within the AG Zoning District.

Section 23780: Single-Family Attached Dwelling as a 2nd Dwelling on a Farm															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right															
Special Exception	P														
Conditional Use															
P = Principal Use			A = Accessory Use												

B. The chart contained under Section 23780.A of this Zoning Ordinance has been provided as a general reference guide. Section 23780 and the provisions of the underlying zoning district shall apply. The use shall not conflict and/or replace the provisions for "ECHO Housing as an Accessory Use".

C. Permitted Uses: The single-family attached dwelling as a second dwelling on a farm shall comply with the following use provisions:

1. The existing single-family dwelling shall be considered as the principal use, which shall be owned and maintained by the landowner. The landowner shall be the primary occupant of the existing single-family dwelling.

2. No more than one (1) single-family attached dwelling shall be permitted. The single-family attached dwelling unit shall be occupied by a relative of the landowner.

3. The single-family attached dwelling added to the principal single-family dwelling shall not count as an additional use to the lot or farm, as regulated under the provisions of Section 3060 of this Zoning Ordinance.

D. Area and Utility Requirements: The following provisions shall apply to the principal dwelling and the attached dwelling:

1. The single-family attached dwelling shall be located on a parcel of land exceeding ten (10) acres.

2. The principal and accessory use shall be serviced by public or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township. The applicant shall demonstrate that the sanitary sewage facilities have sufficient capacities to accommodate the residential uses.

3. The principal and accessory use shall be serviced by public or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township. The applicant shall demonstrate that the water supply facilities have capacities to accommodate the residential uses.

4. Unless otherwise required by East Lampeter Township, the residential uses shall not be required to have separate utility connections for sanitary sewage disposal, water supply, electric, telephone, natural gas and cable services.

E. General Requirements: The following general requirements shall apply to the single-family attached dwelling:

1. The single-family attached dwelling shall have a dedicated means of ingress and egress for accessibility on all floor levels.

2. A minimum of two (2) off-street parking spaces shall be assigned to the single-family attached dwelling, which shall be in addition to the required two (2) off-street parking spaces for the principal dwelling.

Section 23790: Social Club and/or Fraternal Lodge

A. Social club and/or fraternal lodge, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted as a principal use by special exception within the C-2 and MU Zoning Districts.

Section 23790: Social Club and/or Fraternal Lodge														
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	18	19	20
By Right														
Special Exception						P					P			
Conditional Use														
P = Principal Use			A = Accessory Use											

B. The chart contained under Section 23790.A of this Zoning Ordinance has been provided as a general reference guide. Section 23790 and the underlying zoning districts provide specific regulations for social club and/or fraternal lodge.

C. Permitted Uses: The following principal and accessory uses shall be permitted within social club and/or fraternal lodge:

1. The principal use shall be the social club and/or fraternal lodge.

2. Accessory or subordinate uses contained within a building occupied by social club and/or fraternal lodge shall be limited to: administrative offices; conference rooms; work stations; recreation facilities; concession stands; restaurants; social hall; banquet facilities; entertainment uses; and/or other similar uses, as determined appropriate by East Lampeter Township. The cumulative gross floor area for all such accessory uses shall not occupy more than forty (40) percent of the cumulative gross floor area of all uses within the building occupied by the social club or fraternal lodge. The accessory uses shall only be made available to the members of the social club and/or fraternal lodge and their guests.

3. The following provisions shall apply to the uses associated with the social club and/or fraternal lodge:

   a. The social club and/or fraternal lodge shall be operated by a non-profit organization registered within the Commonwealth of Pennsylvania.

   b. With the exception of any permitted recreation uses, all functions held at the facility shall be conducted within a fully enclosed building.

   c. Adult uses shall not be permitted as part of the activities associated with the social club and/or fraternal organization.

   d. The social club and/or fraternal lodge shall not substantially damage, harm and/or detract from the lawful existing use or permitted uses of neighboring properties.

   e. The social club and/or fraternal lodge shall not adversely affect the health, safety and/or welfare of residents or property owners within the general neighborhood.

4. Recreation uses shall only be permitted in accordance with the provisions specified under Section 23620 of this Zoning Ordinance.

D. Utility Requirements: The following utility provisions shall apply to a social club and/or fraternal lodge:

1. The social club and/or fraternal lodge shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

2. The social club and/or fraternal lodge shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

Section 23800: State or County Highway Maintenance Facility

A. State or county highway maintenance facility, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted principal use by right within the C-2 Zoning District.

Section 23800: State or County Highway Maintenance Facility															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right						P									
Special Exception															
Conditional Use															
P = Principal Use				A = Accessory Use											

B. The chart contained under Section 23800.A of this Zoning Ordinance has been provided as a general reference guide. The provisions specified under Section 23800 of this Zoning Ordinance and the provisions of the underlying zoning district shall also apply to the use.

C. Area and Utility Provisions: The following lot area and utility requirements shall apply to a state or county highway maintenance facility:

1. The minimum land area required for the state or county highway maintenance facility shall be two (2) acres. The use shall comply with all other setback, lot width, coverage and height requirements of the zoning district on which the use is located.

2. The state or county highway maintenance facility shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. The state or county highway maintenance facility shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. All other utility provisions serving the state or county highway maintenance facility shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

Section 23810: Telecommunication and Wireless Communication Facilities

A. The purpose of this section and the standards established herein is to govern the use, construction and location of telecommunication and wireless communications facilities in recognition of the nature of telecommunication and wireless communication systems and the Federal Telecommunications Act. These regulations are intended to:

1. Accommodate the need for telecommunication and wireless communications facilities while regulating their location and number so as to insure the provision for necessary services;

2. Minimize the adverse visual effects and the number of such facilities through proper design, locating, screening, material, color and finish and by requiring that competing providers of wireless communications services collocate their telecommunication and wireless communications antennas and related facilities;

3. Ensure the structural integrity of telecommunication and wireless communications antenna support structures through compliance with applicable industry standards and regulations; and

4. Promote the health, safety and welfare of the residents and property owners within East Lampeter Township.

B. Telecommunication and wireless communication facilities, as further defined under Section 2020, shall be permitted within East Lampeter Township as follows:

1. Telecommunication and wireless communication facilities shall be permitted as a use by right within the AG, C-1, C-2, C-3, I-1, I-2, BP and MU Zoning Districts, provided that the proposed telecommunication or wireless communication facilities are located and installed on an existing building or structure with sufficient height and capacities.

2. Telecommunication and wireless communication facilities shall be permitted as a use by special exception within the I-1, I-2 and BP Zoning Districts, provided that the proposed telecommunication or wireless communication facilities are to be located and installed as part of a new building or structure on a conforming lot or lease area.

3. Telecommunication and wireless communication facilities shall be permitted as a use by right on land areas owned and maintained by East Lampeter Township, provided that the proposed telecommunication or wireless communication facilities are located and installed on an existing building or structure with sufficient height and capacities.

4. Telecommunication and wireless communication facilities shall be permitted as a use by right on land areas owned and maintained by East Lampeter Township, provided that the proposed telecommunication or wireless communication facilities are located and installed on a conforming lot or lease area.

Section 23810: Telecommunication and Wireless Communication Facilities															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right	A 1				A 1	A 1	A 1	A 1	A 1	A 1	A 1				
Special Exception								P 1	P 1	P 1					
Conditional Use															
P = Principal Use				A = Accessory Use				1 = Special Building Size and Height Requirements							

C. The chart contained under Section 23810.B of this Zoning Ordinance has been provided as a general reference guide. The provisions contained under Section 23810 of this Zoning Ordinance and the provisions of the underlying zoning district shall apply to telecommunication or wireless communications facilities.

D. All applicants seeking to construct, erect, relocate or alter telecommunication or wireless communications facilities shall secure approval from East Lampeter Township, which shall be conditioned upon their demonstrated compliance with the regulations specified under this Zoning Ordinance. As part of this requirement, a site plan shall be prepared and submitted to East Lampeter Township for review and consideration.

E. The following specifications concerning location and height shall apply to telecommunication or wireless communication facilities:

1. Telecommunication or wireless communications facilities must be located on a sites identified or permitted by this section of the Zoning Ordinance. A site plan shall be submitted to demonstrate that the requirements for location, height, design, infrastructure and improvements have been properly addressed considering the telecommunication or wireless communication facility.

2. The applicant shall provide documentation and technical evidence to East Lampeter Township to prove that the proposed height of the existing or proposed telecommunication or wireless facilities, including the support structures and antennas, are designed at a specific height in order to provide satisfactory service for the communications.

3. As part of the site plan, the applicant shall demonstrate that the facility or structure is necessary to extend or infill its communications system by the use of equipment such as radomes, repeaters, antennas and other similar equipment installed on existing structures, such as utility poles or their appurtenances, and other available tall structures described in this Zoning Ordinance, actually constructed and in existence on the effective date of this ordinance, hereinafter referred as an "existing structure".

4. The site plan application, whether for a tower or antennas on existing structures, shall be accompanied by a propagation study evidencing the need for the proposed tower or other communications facilities and equipment, a description of the type and manufacturer of the proposed transmission/radio equipment, the frequency range (megahertz band) assigned to the applicant, the power in watts at which the applicant transmits, the design gain of applicant's antennas, the subscriber equipment sensitivity expressed in dBm, the design dBm of the transmission and receiving equipment and the results of the drive test and other studies conducted by the applicant in determining the need for the proposed site and installation.

5. No telecommunication and wireless communications antenna support structure shall be taller than 120 feet, as measured from undisturbed ground level, unless the applicant proves that another provider of wireless communications services has agreed to co-locate telecommunication and wireless communications antennas on the applicant's tower or that the tower will be available for such collocation. It shall be incumbent upon the applicant to prove that a greater tower height is necessary to provide satisfactory service for telecommunication and wireless communications than is required by the applicant. In such cases, the telecommunication and wireless communications antenna support structure shall not exceed a height of two hundred (200) feet, unless the applicant secures approval from the Zoning Hearing Board, by demonstrating such proof as would be required for the granting of a variance under the provisions of this Zoning Ordinance. In no event shall mounted telecommunication and wireless communications antennas' height on any tower extend more than ten (10) feet above the installed height of the tower.

6. In those areas where telecommunication and wireless communications antennas and telecommunication and wireless communications antenna support structures are permitted, either a one (1) single-story telecommunication or wireless communications equipment building not exceeding one thousand five hundred (1,500) square feet in area or up to five (5) metal boxes placed on a concrete pad for housing the receiving and transmitting equipment may be located on the permitted site selected for installation and location of the tower for each company sharing the communications antenna space on the tower.

7. With the exception of the telecommunication and wireless communications equipment necessary to facilitate the tower and the telecommunication and wireless communications antennas, all other uses to telecommunication and wireless communication facility shall be considered accessory components and structures, including but not limited to a business office, mobile telephone switching office, maintenance depot and vehicular storage area, shall not be located on any site, unless otherwise permitted by the underlying zoning district regulations on which the site is located.

8. The attachment of telecommunication or wireless communication facilities to existing buildings or structures shall be permitted by right, provided the following condition apply:

    a. The proposed use or structure complies with all other provisions of this Zoning Ordinance, whereas the applicant may locate telecommunication and wireless communication antennas and their support members, but not a telecommunication and wireless communication support structure, onto a smokestack, utility pole, water tower, commercial or industrial building or any similar tall structure, actually constructed and in existence on the effective date of this ordinance.

    b. The height of the telecommunication and wireless communications antennas and apparatus attaching the telecommunication and wireless communications antennas thereto shall not exceed by more than ten (10) feet the height of such existing structure, unless the applicant proves that a greater antenna height is required to make it an adequately functional component of the applicant's system, but in no case shall such height exceed twenty-five (25) feet.

    c. The applicant proves that such location is necessary to satisfy the antenna's function within the communications system and will obviate the need for the erection of a telecommunication and wireless communications antenna support structure in another location where the same is permitted.

    d. The applicant employs concealment or other reasonably appropriate stealth measures, as determined appropriate by East Lampeter Township, to camouflage or conceal the antennas, such as the use of neutral materials that hide antennas, the location of antennas within existing structures, such as steeples, silos, and advertising signs, the replication of steeples and other structures for such purpose, the simulation of elements of rural landscapes, such as trees, and such other measures as are available for use for such purpose.

e. Telecommunication and wireless communication antennas may be located entirely within a steeple, but no portion of the antenna shall be visible from the outside.

f. If East Lampeter Township determines that the location of antennas on a structure, which was constructed prior to the effective date of this Zoning Ordinance, obviates the need for the construction and erection of a tower in a permitted zoning district in which a tower is a permitted by right, East Lampeter Township may authorize as part of the site plan approval process, the location of up to five (5) metal boxes placed on a concrete pad not exceeding twenty-five (25) feet by thirty (30) feet in area housing the receiving and transmitting equipment necessary to the operation of the antennas provided that: the pad is located within the side yard or rear yard; that the pad and boxes are set back from the property line by a minimum of thirty (30) feet; the combined height of the pad and boxes does not exceed eight feet; and an evergreen landscape buffer screen is planted and maintained as required by East Lampeter Township.

9. The minimum distances between the base of a telecommunication and wireless communication antenna support structure and any adjoining property line or street right-of-way line shall equal fifty (50) percent of the proposed telecommunication and wireless communication antenna support structure height. Where the site on which a tower is proposed to be located is contiguous to an educational use, child day-care facility or residential use, the minimum distance between the base of a telecommunication and wireless communication antenna support structure and any such adjoining uses shall equal one hundred and ten (110) percent of the proposed telecommunication and wireless communication antenna support structure height, unless it is demonstrated to the reasonable satisfaction of East Lampeter Township that in the event of tower failure, the tower is designed to collapse upon itself within a setback area less than the required minimum setback without endangering such adjoining uses and their occupants.

10. Unless otherwise specified within this Zoning Ordinance, a proposed telecommunication or wireless communications facility must be located or separated by a horizontal distance of three thousand (3,000) feet from any another telecommunication or wireless communication facility.

F. The following standards and specifications shall apply to the structural stability, support and design of all telecommunication or wireless communication facilities:

1. The applicant shall demonstrate that the proposed telecommunication and wireless communication facilities are designed and constructed in accordance with all applicable state and federal building standards for such facilities and structures. The applicant shall consult with the East Lampeter Township Engineer in order to determine the appropriate regulations that should be applied for such facilities and structures.

2. The applicant shall demonstrate that the proposed telecommunication and wireless communication facilities are designed in a manner that no part of the facility will attract or deflect lighting onto adjacent properties

3. When one (1) or more telecommunication and wireless communication antennas are to be located on an existing structure and the general public has access to the structure on which the telecommunication and wireless communications antenna is to be located, the applicant shall provide engineering details showing what steps have been taken to prevent microwave binding to wiring, pipes or other metals. For purposes of this subsection, the term "microwave binding" shall refer to the coupling or joining of microwave energy to electrical circuits, including but not limited to power lines and telephone wires, during which process the transference of energy from one to another occurs.

4. In order to reduce the number of telecommunication and wireless communication antenna support structures within East Lampeter Township in the future, the proposed telecommunication and wireless communication antenna support structure shall be designed to accommodate other potential communications users, including but not limited to, commercial wireless communications companies, police departments, fire department, ambulance companies and other emergency service providers.

5. If the telecommunication and wireless communications facility is fully automated, adequate parking shall be required for all maintenance workers, with a minimum of two (2) spaces provided. If the telecommunication and wireless communication facility is not fully automated, the number of required parking spaces shall be equal to the number of employees present at the telecommunication or wireless communication facility during the largest shift.

6. Telecommunication and wireless communications antenna support structures shall be painted silver or another color approved by East Lampeter Township, or shall have a galvanized finish. All telecommunication and wireless communication equipment buildings and other accessory facilities shall be aesthetically and architecturally compatible with the surrounding environment and shall maximize the use of a similar facade to blend with the existing surroundings and neighboring buildings to the greatest extent possible. In furtherance of this provision, East Lampeter Township may require that:

    a. The telecommunication and wireless communications facilities support structures be painted green up to the height of nearby trees; and/or

    b. The telecommunication and wireless communications equipment buildings that house electrical transmitter equipment be placed underground, unless this is determined to be detrimental to the functioning and physical integrity of such equipment.

7. As part of the overall evaluation regarding site compatibility, aesthetics and architecture, East Lampeter Township shall consider the following issues as part of the special exception application and/or site plan application:

    a. If it will promote the harmonious and orderly development of the zoning district involved,

    b. If it is compatible with the character and type of development existing within the area,

    c. If the benefits exceed any negative impacts on the aesthetic character of the community,

    d. If it preserves woodland areas and trees existing at the site to the greatest possible extent, and

    e. If it encourages sound engineering practices and land development design.

G. Unless otherwise permitted by East Lampeter Township as part of the site plan application, the following general site improvements, compliance provisions and procedural obligations shall be required for all telecommunication and wireless communication facilities:

1. No sign or other structure shall be mounted on the telecommunication and wireless communications facility, except as may be required by the Federal Communications Commission (FCC), Federal Aviation Administration (FAA) or other governmental agency.

2. The telecommunication and wireless communications antenna support structures shall meet all FAA regulations. No telecommunication and wireless communications antenna support structure may be artificially lighted except when required by the FAA or other governmental authority. When lighting is required by the FAA or other governmental authority, it shall be limited to the minimum lumens and number of lights so required and it shall be oriented inward so as not to project onto surrounding properties. The applicant shall promptly report any outage or malfunction of FAA-mandated lighting to the appropriate governmental authorities as well as East Lampeter Township.

3. The applicant shall describe the anticipated maintenance needs, including frequency of service, personnel needs and equipment needs, and the traffic safety and noise impacts of such maintenance.

4. In the event that a telecommunication and wireless communications antenna is attached to an existing structure, vehicular access to the telecommunication and wireless communications facility shall not interfere with the parking or vehicular circulation on the site for the existing principal use.

5. If the applicant proposes to build a telecommunication and wireless communications antenna support structure (as opposed to mounting the telecommunication and wireless communications antenna on an existing structure), the applicant shall prove to East Lampeter Township that it has contacted the owners of structures of suitable location and height, either other towers or existing tall structures within three thousand (3,000) foot radius of the site proposed, asked for permission to install the telecommunication and wireless communications antennas on those structures and has been denied. East Lampeter Township may deny an application to construct a new telecommunication and wireless communications antenna support structure if the applicant has not made a good faith effort to mount the telecommunication and wireless communications antenna on an existing structure.

6. If use of the telecommunication and/or wireless communications facility is abandoned or if the telecommunication and/or wireless communications facility is not in use for a period of six (6) months or longer, the owner shall demolish and/or remove the telecommunication and/or wireless communications facility from the site within six (6) months of such abandonment and/or non-use. All costs of demolition and/or removal shall be borne by the owner of the telecommunication and/or wireless communication facility. In the event that the demolition and/or removal referred to above are not performed in a timely manner, the landowner shall be subject to the enforcement remedies of this Zoning Ordinance or otherwise provided for by state and federal laws.

7. As part of the site plan, the applicant seeking to construct, erect, relocate or alter a telecommunication or wireless communications facility shall file a written certification that all property owners within a one thousand (1,000) foot radius of the property on which the telecommunication and wireless communications antenna support structure is proposed to be located have been given written notice by the applicant of the applicant's intent to construct, erect, relocate or alter a telecommunication or wireless communications facility. The certification shall contain the name, address and tax parcel number of the property owners.

8. If required by east Lampeter Township, a security fence with a maximum height of fifteen (15) feet shall be required around the antenna support structure and other equipment, unless the telecommunication and wireless communications antenna is mounted on an existing building or structure. The required security fence shall be equipped with a self-closing and self-latching gate, which shall be locked and secured at all times when the facility is unattended.

9. Landscaping shall be required to screen and buffer as much of a newly constructed telecommunication and wireless communications antenna support structure as possible. East Lampeter Township may permit a combination of existing vegetation, walls, decorative fences or other features in lieu of landscaping.

H. The following background information and documentation shall be submitted as part of the site plan:

1. The applicant shall provide evidence that the telecommunication facilities are in compliance with all local, state and federal requirements.

2. The applicant shall demonstrate that it is a commercial wireless communications company, licensed by the Federal Communications Commission (FCC) or, in the case of those companies that own and erect towers for lease to such companies, that it has an existing contract with one (1) or more such companies to locate on the proposed tower (in those zoning districts or areas where such towers are permitted) and shall provide the Township Secretary with copies of all FCC applications, permits, approvals, licenses, and site inspection records. All such information shall be accompanied by a certification signed by two (2) officers of the applicant that the information being supplied is true and correct to the best of their knowledge, information, and belief. The applicant shall also provide copies of all applicable federal regulations with which it is required to comply and a schedule of estimated FCC inspections.

3. A geotechnical investigation shall be conducted to document and verify that the design specifications of the foundation are suitable for the proposed telecommunication facilities. As part of this requirement, a report shall be prepared in order to demonstrate compliance with the standards of geotechnical investigations, ANSI/EIA-222-E, as amended, which shall be submitted to East Lampeter Township

4. Prior to the issuance of a permit authorizing construction and erection of a telecommunication and wireless communications antenna support structure, a structural engineer registered in the Commonwealth of Pennsylvania shall issue a written certification to East Lampeter Township of its ability to meet the minimum industry standards for structural integrity. Where antennas are proposed to be attached to an existing structure, the structural engineer shall certify that both the structure and the antennas and their appurtenances meet minimum industry standards for structural integrity.

5. The site plan shall accurately depict all existing and proposed structures and site improvements, including but not limited to, the telecommunication and wireless communications antennas, telecommunication and wireless communications antenna support structure, building, fencing, landscape buffering, vehicular ingress and egress, lease areas and other features required by East Lampeter Township.

6. The telecommunication facility provider shall provide East Lampeter Township with all necessary contact information, permits, insurance policies, lease agreements and other information determined necessary by East Lampeter Township.

7. A certificate of insurance issued to the owner/operators evidencing that there is adequate current liability insurance in effect insuring against liability for personal injuries and death and property damage caused by the site and the telecommunication and wireless communications facilities

Section 23820: Theater

A. Theater, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. A theater shall be permitted as a principal use by right within the C-2, C-3 and BP Zoning Districts.

2. A theater shall be permitted as a principal and accessory use by right within the BH Zoning District.

Section 23820: Theater															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right						P	P			P		P, A			
Special Exception															
Conditional Use															
P = Principal Use				A = Accessory Use											

B. The chart contained under Section 23820.A of this Zoning Ordinance has been provided as a general reference guide. Section 23820 and the underlying zoning districts provide specific regulations for theater.

C. Permitted Uses: The following principal and accessory uses shall be permitted as part of a theater:

1. The principal use shall be the theater, which shall be contained within a building that includes a stage and/or screen with seating available to accommodate customers or patrons to view movies, plays, concerts, meetings, social events and/or other similar performances.

2. Accessory or subordinate uses for the theater shall be limited to: administrative offices; retail sales; concession stands; restaurants; admission areas; and/or other similar uses, as determined appropriate by East Lampeter Township. The accessory uses shall be made available to the customers or patrons of the theater.

3. Theater with outdoor viewing or drive-in facilities shall not be permitted.

4. Adult uses shall not be permitted as part of the uses associated with the theater.

D. Area and Utility Requirements: The following lot area and utility provisions shall apply to a theater:

1. A theater shall be located on a conforming lot that meets the following lot area requirements:

a A theater located within the C-2 Zoning District shall have a minimum lot area of twenty-five thousand square feet and maximum lot area of fifteen (15) acres.

b A theater located within the C-3 Zoning District shall have a minimum lot area of two (2) acres.

c A theater located within the BP Zoning District shall have a minimum lot area of forty thousand (40,000) square feet.

d A theater located within the BH Zoning District shall have a minimum lot area of twelve thousand (12,000) square feet

2. The theater shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. The theater shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

Section 23830: Townhouses

A. Townhouses, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. Townhouses shall be permitted as a principal use by right within the R-2, R-3, C-1 and MU Zoning Districts.

2. Townhouses shall be permitted by right within the BP Zoning District, subject to the provisions of Sections 14020, 14030, 23490 and 23830 of this Zoning Ordinance.

3. Townhouses shall be permitted as a principal use by special exception within the BH, VG, VC and VR Zoning Districts.

Section 23830: Townhouses															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right			P	P	P					P 1	P				
Special Exception												P	P	P	P
Conditional Use															
P = Principal Use			A = Accessory Use					1 = Sections 14020, 14030, 23490 and 23830 shall apply							

B. The chart contained under Section 23830.A of this Zoning Ordinance has been provided as a general reference guide. Section 23830 and the underlying zoning districts provide specific regulations for townhouses.

C. Land Use, Density and Utility Requirements: The following lot area and utility provisions shall apply to a townhouses:

1. The maximum number of townhouses contained on a tract of land or development area shall comply with the following requirements:

a. Townhouses located in the R-2 Zoning District shall have a minimum lot area of 4,500 square feet per townhouse unit.

b. Townhouses located in the R-3, C-1, MU, BH, VG, VC and VR Zoning Districts shall have a minimum lot area of 3,500 square feet per townhouse unit.

c. Townhouses located in the BP Zoning District shall have a minimum lot area of 3,000 square feet.

2. The townhouses shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. The townhouses shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

D. Lot Width, Setback, Coverage and Height Requirements: Townhouses shall comply with the provisions specified for lot width, setback, building separation, coverage and height, as further specified by the underlying zoning district on which the townhouse is located.

E. General Requirements: The following general requirements shall apply to townhouses:

1. The proposed lighting for buildings, signs, access lanes and parking areas shall be arranged so they do not reflect towards any public street or residential zoning districts.

2. Each townhouse unit contained within the development shall have vehicular access to an improved public or private street.

3. Townhouse units shall be linked with sidewalks, crosswalks and/or pathways to facilitate safe and convenient pedestrian movement.

Section 23840: Transportation Depot

A. Transportation depot, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted as a principal use by right within the I-2 Zoning District.

Section 23840: Transportation Depot															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right									P						
Special Exception															
Conditional Use															
P = Principal Use			A = Accessory Use												

B. The chart contained under Section 23840.A of this Zoning Ordinance has been provided as a general reference guide. Section 23840 and the provisions of the underlying zoning district shall apply to transportation depots.

C. Permitted Uses: The following use shall be permitted and prohibited as part of a transportation depot:

1. The principal use shall be the transportation depot, which shall be located within an enclosed building that complies with the area, yard and height requirements of the zoning district on which the use is located.

2. All vehicles that have been brought in for service, maintenance or repair shall in a state of active repair and shall not be permitted on the premises for a period of more than sixty (60) days.

3. Where overnight parking is permitted, the trucks or commercial vehicles utilizing the facilities shall not be kept running or idling for a period of time exceeding thirty (30) consecutive minutes or ninety (90) cumulative minutes within any twenty-four (24) hour time period.

4. The storage of vehicles and trailers that are not licensed or registered shall be prohibited.

5. The demolishing or salvaging of vehicles shall be prohibited.

D. Area and Utility Provisions: The following lot area and utility requirements shall apply to a transportation depot:

1. The minimum land area required for the transportation depot shall be five (5) acres.

2. The transportation depot shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. The transportation depot shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. All other utility provisions serving the transportation depot shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.

E. Lot Width, Setback, Coverage and Height Requirements: The following lot width, setback, coverage and height requirements shall apply to transportation depots:

1. The minimum lot width for the transportation depot shall be three hundred (300) feet.

2. The principal buildings located on the lot occupied by the transportation depot use shall be located at least one hundred (100) feet from all street rights-of-way lines and property lines.

3. The accessory buildings, structures and equipment located on the lot occupied by the transportation depot use shall be located at least fifty (50) feet from all street rights-of-way lines and property lines.

4. All vehicles, equipments and materials stored outside of the buildings shall be located at least fifty (50) feet from all street rights-of-way lines and property lines.

5. The temporary storage of any vehicles and equipment that have been brought to the facility for repair or service shall be located at least fifty (50) feet from all street right-of-way lines and all other property lines.

6. All lubricants, fuel and/or petroleum products shall be contained within a permitted building, structure and/or containment facility that complies with local, state and federal laws.

F. General Requirements: The following general standards shall be required for a transportation depot:

1. Where overnight parking is permitted, the trucks or commercial vehicles utilizing the facilities shall not be kept running or idling for a period of time that exceed the provisions specified by the Pennsylvania Diesel Powered Motor Vehicle Act and other state or federal laws.

2. All lubricants, fuel and/or petroleum products shall be contained within a permitted building, structure and/or containment facility that complies with local, state and federal laws.

3. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

4. The use and related activities shall not emit noise, glare, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat and/or other perceptible or objectionable nuisances that would impact neighboring properties, or be noticeable at or beyond the property line.

5. All trucks, trailers and commercial vehicles stored on the property shall be arranged so as to permit access to emergency management equipment.

6. The primary points of ingress and egress to the transportation depot shall be along a collector or arterial street.

7. If required by East Lampeter Township, a tire cleaning area shall be provided on-site. All tires of all trucks leaving the site shall be cleaned. Runoff from the tire cleaning area shall be controlled and disposed of in accordance with all local, state and federal laws

Section 23850: Uses Not Specifically Permitted

A. Uses not specifically permitted, as further defined under Section 2020 of this Zoning Ordinance, shall be permitted as a principal use by conditional use within the I-2 Zoning District.

Section 23850: Uses Not Specifically Permitted															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right															
Special Exception															
Conditional Use									P						
P = Principal Use			A = Accessory Use												

B. The chart contained under Section 23850.A of this Zoning Ordinance has been provided as a general reference guide. Section 23850 and the provisions of the underlying zoning district shall apply to uses not specifically permitted within East Lampeter Township.

C. Permitted Uses: The following land use interpretation provisions shall apply to "uses not specifically permitted":

1. Pursuant to the provisions involving the regional allocation of land uses, as further specified within the Comprehensive Plan and Section 1060 of this Zoning Ordinance, certain uses may not be permitted or recognized by this Zoning Ordinance, but may be permitted and included as part of this Zoning Ordinance.

2. Should a specific use not be permitted or recognized within the Zoning Ordinances of East Lampeter Township or Upper Leacock Township, an application should be made to the Zoning Officer in accordance with the provisions of this Zoning Ordinance and the Pennsylvania Municipalities Planning Code.

3. Should other types of land uses evolve or become commonly acceptable as a reasonable use, an application should be made to the Zoning Officer. It is the purpose of this section to provide for all reasonable and appropriate land uses and to establish a mechanism for the inclusion of such land uses within East Lampeter Township.

4. If the Zoning Officer determines that the use is not specifically permitted within East Lampeter Township, the use shall be permitted by conditional use within the General Industrial (I-2) Zoning District, which shall be considered by East Lampeter Township in accordance with the procedures and provisions that are specified under Section 25080 of this Zoning Ordinance.

5. Only lawful uses shall be considered as part of a conditional use application.

D. Area and Utility Provisions: The following lot area and utility requirements shall apply to a uses not specifically permitted within the East Lampeter Township:

1. The minimum land area required for the uses not specifically permitted within East Lampeter Township shall be five (5) acres. Depending upon the complexity or intensity of the proposed undefined land use, the Board of Supervisors may consider a reduction of the minimum area requirement as part of the conditional use application. However, in no case shall the minimum lot size be reduced to less than two (2) acres.

2. The uses not specifically permitted within East Lampeter Township shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. The uses not specifically permitted within East Lampeter Township shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

E. Lot Width, Setback, Coverage and Height Requirements: The following lot width, setback, coverage and height requirements shall apply to uses not specifically permitted within East Lampeter Townships:

1. The use shall comply with the setback, coverage and height requirements of the zoning district on which the use is located.

2. Depending upon the complexity or intensity of the use, the Board of Supervisors may establish alternative the minimum and maximum dimensional requirements as part of the conditional use application. These provisions shall include the lot width, setback requirements (front, side and rear), height, building coverage and lot coverage requirements for the use.

F. General Requirements: The following general standards shall be required for uses not specifically permitted within East Lampeter Township or uses not specifically permitted within East Lampeter Township:

1. All activities shall not pose a threat to the health, safety and/or general welfare of any property or use within East Lampeter Township. Where, appropriate, the landowner shall design, construct and implement appropriate safeguards.

2. The proposed lighting for buildings, signs, access lanes and parking areas shall be arranged so they do not reflect towards any public street or residential zoning districts.

3. The use and related activities shall not emit noise, glare, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat and/or other perceptible or objectionable nuisances that would impact neighboring properties, or be noticeable at or beyond the property line.

4. The applicant shall furnish evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, noise, light, dust, smoke, litter and pollution.

G. Conditional Use Criteria: As part of the conditional use application, the Board of Supervisors shall consider the following information and documentation to be submitted to East Lampeter Township on behalf of the applicant:

1. The applicant shall submit a request for inclusion of a "use not specifically permitted within East Lampeter Township" or other reasonable land use that is not recognized as part of the Zoning Ordinance, with illustrations and complete documentation that completely describes the land use activity and the manner in which it differs from the permitted uses defined or permitted by the Zoning Ordinance.

2. Prior to the commencement of the hearing, the Zoning Officer shall advise East Lampeter Township if the application meets the purpose and objective of Section 23850 of the Zoning Ordinance.

3. The applicant shall provide evidence that the use shall comply with all provisions established within the Zoning Ordinance. This may include the submission of a grading plan, utility plan, landscaping plan, lighting plan, architectural renderings, traffic impact study and/or environmental impact assessment report. Prior to the submission of the conditional use application, the applicant shall consult with the East Lampeter Township Manager, Engineer and Zoning Officer to initially discuss the supplemental documentation that may be required as part of the application.

Section 23860: Veterinary Office

A. Veterinary office, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. A veterinary office shall be permitted as a principal use by right within the C-1, BP, MU, BH, VG and VC Zoning Districts.

2. A veterinary office shall be permitted as a principal use by special exception within the AG Zoning District.

3. A veterinary office shall be permitted as an accessory use by right within the AG Zoning District

Section 23860: Veterinary Office															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right	A				P					P	P	P	P	P	
Special Exception	P														
Conditional Use															
P = Principal Use			A = Accessory Use												

B. The chart contained under Section 23860.A of this Zoning Ordinance has been provided as a general reference guide. Section 23860 and the underlying zoning district provide specific regulations for veterinary office.

C. Permitted Uses: The following principal and accessory uses shall be permitted as part of the veterinary office:

1. The principal use shall be the veterinary office.

2. Accessory or subordinate uses for the veterinary office shall be limited to: administrative offices; retail sales; outdoor running or exercise areas; and other similar uses. The cumulative gross floor area for all such accessory uses contained within the building shall be not more than twenty (20) percent of the cumulative gross floor area of the veterinary office. The accessory uses shall only be made available to the customers or patients of the veterinary office.

3. If more than fifty (50) animals are present at anyone time for boarding, rehabilitation, medical treatment including primary health services and medical/surgical care to animals suffering from illness, disease, injury, deformity, and other abnormal physical conditions, they shall comply with the requirements of this section and the requirements of Section 23410 of this Zoning Ordinance. If there is any conflict between Sections 23410 and 23860, the more restrictive shall apply.

4. A kennel shall only be permitted accessory use by special exception within the Agricultural (A) Zoning District, subject to the provisions specified under Section 23410 (Kennel) of this Zoning Ordinance.

D. Area and Utility Requirements: The following general provisions shall apply to a veterinary office:

1. The minimum and maximum land area requirements for a veterinary office shall be as follows:

a. A veterinary office located within the AG Zoning District shall be located on a lot containing a minimum lot area of one (1) acre.

b. A veterinary office located within the C-1 Zoning District shall be located on a lot containing a minimum lot area of fifteen thousand (15,000) square feet.

c. A veterinary office located within the BH, VG and VC Zoning Districts shall be located on a lot containing a minimum lot area of twenty thousand (20,000) square feet.

d. A veterinary office located within the VC Zoning District shall be located on a lot containing a minimum lot area of twenty thousand (20,000) square feet and a maximum lot area of five (5) acres.

2. The veterinary office shall be serviced by public or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. The veterinary office shall be serviced by public or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. All other utility provisions serving veterinary office shall be planned and installed in accordance with the specifications of the public utility provider supplying service.

E. Setback, Coverage and Height Requirements: The following setback requirements shall apply to a veterinary office:

1. The location of the outdoor runs or exercise yards shall be located at least one hundred (100) feet from all street right-of-way lines and property lines.

2. Any accessory building or external area utilized for the housing, feeding, watering, or running of animals shall be set back at least one hundred (100) feet from all street right-of-way lines and property lines.

F. General: The following general provisions shall also apply to veterinary office:

1. The veterinary office shall operate in accordance with all local, state and federal laws. The landowner or operator of the veterinary office shall supply East Lampeter Township with the permits and licenses that are required to operate a veterinary office.

2. All principal uses and activities shall be conducted within an enclosed building that shall comply with the building code requirements adopted by East Lampeter Township.

3. The landowner of the property on which the veterinary office is located shall be responsible of the daily operations, activities and maintenance of the veterinary office.

4. Outdoor runs or exercise yards may be permitted for the animals being cared for at the veterinary office, subject to the following conditions:

a. The outdoor runs shall be located with the rear yard of the lot occupied by the veterinary office.

b. The outdoor runs shall be conducted between the hours of 7:00 a.m. and 9:00 p.m.

c. All animals being cared for shall be kept indoors between the hours of 9:00 pm and 7:00 am.

d. The outdoor runs are conducted within a defined area, which is completely enclosed by a six (6) foot high fence. The perimeter of the fence shall be adequately screened with landscaping strip or buffer yard.

e. The outdoor runs shall be located at least one hundred (100) feet from all property lines.

5. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

6. The veterinary office shall be adequately soundproofed so that the sounds generated by the animals being cared for are not audible or detectable from any lot line.

7. The veterinary office shall be operated in such a manner so that it does not constitute a nuisance with regard to noise, odor, vectors, dust, vibration or other negative effects beyond the property lines of the lot upon which the veterinary office use is located.

8. The storage of any animal waste shall be regularly disposed of by discharge to an approved sewage disposal system or facility for biological wastes. Any temporary storage of animal or biological waste shall be contained within enclosed storage bins or containers that are stored within a building, which shall be removed and disposed of on a regular basis. A plan for management of such wastes shall be submitted for municipal review as part of the land development plan application.

9. An incineration (retort) device for the cremation of dead animals shall be prohibited.

10. There shall be no outside storage of materials, equipment or animal crates that are associated with the veterinary office.

11. The landowner shall provide East Lampeter Township and the emergency service responders (police, fire and ambulance with a complete list of materials, chemical and/or substances that are typically stored or maintained on the property that could be considered hazardous or dangerous to the employees, visitors and/or emergency service responders.

Section 23870: Warehouse and Distribution Center

A. Warehouse and distribution, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. A warehouse and distribution center shall be permitted as a principal use by right within the I-1 Zoning District, subject to the following building requirements:

a. A maximum of 40,000 square feet of gross floor area shall be permitted for a warehouse facility located along a road owned and maintained by East Lampeter Township.

b. A maximum of 100,000 square feet of gross floor area shall be permitted for a warehouse facility located along a road owned and maintained by the Commonwealth of Pennsylvania.

2. A warehouse and distribution center containing building(s) with no defined limitations on building size and/or lot area shall be permitted as a principal use by right in the I-2 Zoning District.

3. A warehouse and distribution center with a maximum building size of 500,000 cumulative square feet of gross floor area shall be permitted as a principal use by right in the BP Zoning District.

Section 23870: Warehouse and Distribution Center															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right								P 1	P	P 1					
Special Exception															
Conditional Use															
P = Principal Use				A = Accessory Use				1 = Special Lot or Building Size Requirements							

B. The chart contained under Section 23870.A of this Zoning Ordinance has been provided as a general reference guide. Section 23870 and the underlying zoning district provide specific regulations for warehouse and distribution centers.

C. Permitted Uses: The following land use provisions shall apply to a warehouse and distribution center:

1. The principal use shall be the warehouse and distribution center, which shall include a building or group of buildings primarily utilized for storage, transfer, loading and unloading of products or commodities.

2. Retail sales of the goods and products stored or maintained at the warehouse and distribution center may be permitted as an accessory use. The designated sales area for retail sales shall not exceed fifteen (15) percent of the total gross floor area or five thousand (5,000) square feet of gross floor area, whichever is less.

D. Area and Utility Requirements: The following general provisions shall apply to a warehouse and distribution center:

1. The warehouse and distribution center shall be located on a conforming lot that complies with the following lot area and building size requirements:

a. A warehouse and distribution center located within the I-1 Zoning District shall have a minimum lot size of one (1) acre.

b. A warehouse and distribution center located within the I-2 Zoning District shall have a minimum lot size of two (2) acres.

c. A warehouse and distribution center located within the BP Zoning District shall have a minimum lot area of forty thousand (40,000) square feet and a maximum of forty (40) acres.

2. The warehouse and distribution center shall be serviced by public or on-lot sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. The warehouse and distribution center shall be serviced by public or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. All other utility provisions serving the warehouse and distribution center shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services shall be installed underground.

E. General Requirements: The following general requirements shall apply to a warehouse and distribution center:

1. All warehouse and distribution center uses and activities shall not pose a threat to the health, safety and/or general welfare of any property or use within East Lampeter Township. Where, appropriate, the landowner shall design, construct and implement appropriate safeguards.

2. The landowner shall maintain information regarding the nature of the on-site activities and operations, the types of materials to be 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.

3. Where overnight parking is permitted, the trucks or commercial vehicles utilizing the facilities shall not be kept running or idling for a period of time that exceed the provisions specified by the Pennsylvania Diesel Powered Motor Vehicle Act and other state or federal laws.

4. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

5. The use and related activities shall not emit noise, glare, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat and/or other perceptible or objectionable nuisances that would impact neighboring properties, or be noticeable at or beyond the property line.

6. All hazardous waste, toxic waste, infectious waste, and other similar items, which because of its potential health risks, shall be discarded in a manner specified by local, state and federal laws.

7. All trucks, trailers and commercial vehicles stored on the property shall be arranged so as to permit access to emergency management equipment.

8. All tires of all trucks leaving the site shall be cleaned. Runoff from the tire cleaning area shall be controlled and disposed of in accordance with all local, state and federal laws.

9. Warehouse and distribution centers containing more than one hundred fifty thousand (150,000) square feet of gross floor areas shall provide an improved bus stop or pick-up location, which would be conveniently accessible for patrons who would travel to and from the site by bus or other modes of transportation. The bus stop must be provided, even if current bus service is unavailable along the subject property. The bus stop shall include a shelter, seating, a trash receptacle, and at least one shade tree.

10. The applicant shall depict the locations and dimensions of all on-site circulation improvements, which shall demonstrate safe vehicular and pedestrian movements on the property. The use of sidewalks, crosswalks and pedestrian paths shall be integrated as part of the design.

Section 23880: Wholesale and Distribution Facility

A. A wholesale and distribution, as defined under Section 2020 of this Zoning Ordinance, shall be permitted as follows:

1. A wholesale and distribution facility with no defined limitations on building size (gross floor area) and/or lot area (acreage) shall be permitted as a principal use by right in the I-1 and I-2 Zoning Districts.

2. A wholesale and distribution facility with a maximum building size of four hundred thousand (400,000) square feet of gross floor area shall be permitted as a principal use by right in the BP Zoning District.

Section 23880: Wholesale and Distribution Facility															
Zoning District and Article Number	AG	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2	BP	MU	BH	VG	VC	VR
	3	5	6	7	8	9	10	11	12	14	15	17	18	19	20
By Right								P	P	P 1					
Special Exception															
Conditional Use															
P = Principal Use				A = Accessory Use				1 = Special Lot or Building Size Requirements							

B. The chart contained under Section 23880.A of this Zoning Ordinance has been provided as a general reference guide. Section 23880 and the underlying zoning district provide specific regulations for wholesale and distribution facility.

C. Permitted Uses: The following land use provisions shall apply to a wholesale and distribution facility:

1. The wholesale and distribution facility shall include a building or group of buildings utilized for sale of merchandise in large quantities or transactions of commodities to retailers, contractors and businesses.

2. Retail sales of the goods and products produced, stored or maintained at the wholesale and distribution facility may be permitted as an accessory use. The designated area for the retail sales area shall not exceed fifteen (15) percent of the total gross floor area or five thousand (5,000) square feet, whichever is less.

D. Area and Utility Requirements: The following general provisions shall apply to a wholesale and distribution facility:

1. The following lot area requirements shall apply to a wholesale and distribution facility:

a. A wholesale and distribution facility located within the I-1 Zoning District shall contain a minimum lot area of forty thousand (40,000) square feet.

b. A wholesale and distribution facility located within the I-2 Zoning District shall contain a minimum lot area of two (2) acres.

c. A wholesale and distribution facility located within the BP Zoning District shall contain a minimum lot area of 40,000 square feet. The building(s) occupied by the use shall not exceed four hundred thousand (400,000) cumulative square feet of gross floor area.

2. The wholesale and distribution facility shall be serviced by public sanitary sewer facilities, which shall be planned in accordance with the most recent update to the East Lampeter Township Sewage Facilities Plan as well as any ordinances adopted by East Lampeter Township.

3. The wholesale and distribution facility shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by East Lampeter Township.

4. All other utility provisions serving the wholesale and distribution facility shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services shall be installed underground.

E. General Requirements: The following general requirements shall apply to a wholesale and distribution facility:

1. All wholesale and distribution facility uses and activities shall not pose a threat to the health, safety and/or general welfare of any property or use within East Lampeter Township. Where, appropriate, the landowner shall design, construct and implement appropriate safeguards.

2. The landowner shall maintain information regarding the nature of the on-site activities and operations, the types of materials to be 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.

3. Where overnight parking is permitted, the trucks or commercial vehicles utilizing the facilities shall not be kept running or idling for a period of time that exceed the provisions specified by the Pennsylvania Diesel Powered Motor Vehicle Act and other state or federal laws.

4. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

5. The use and related activities shall not emit noise, glare, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat and/or other perceptible or objectionable nuisances that would impact neighboring properties, or be noticeable at or beyond the property line.

6. All hazardous waste, toxic waste, infectious waste, and other similar items, which because of its potential health risks, shall be discarded in a manner specified by local, state and federal laws.

7. All trucks, trailers and commercial vehicles stored on the property shall be arranged so as to permit access to emergency management equipment.

8. All tires of all trucks leaving the site shall be cleaned. Runoff from the tire cleaning area shall be controlled and disposed of in accordance with all local, state and federal laws.

9. Wholesale and distribution facilities containing more than one hundred fifty thousand (150,000) square feet of gross floor areas shall provide an improved bus stop or pick-up location, which would be conveniently accessible for patrons who would travel to and from the site by bus or other modes of transportation. The bus stop must be provided, even if current bus service is unavailable along the subject property. The bus stop shall include a shelter, seating, a trash receptacle, and at least one shade tree.

10. The applicant shall depict the locations and dimensions of all on-site circulation improvements, which shall demonstrate safe vehicular and pedestrian movements on the property. The use of sidewalks, crosswalks and pedestrian paths shall be integrated as part of the design.

Article 24: Non-Conformities

Section 24010: Statement of Intent and Application

A. The purpose and objective of the provisions established under Article 24 of this Zoning Ordinance is to establish specific regulations pertaining to non-conforming uses, lots, land areas, building and/or structures.

B. Through the enactment of this Zoning Ordinance, there exists or will exist certain non-conformities which, if lawful before this Zoning Ordinance was passed or amended, may be continued, subject to certain limitations, although such non-conformities would be prohibited, regulated or restricted under the terms of this Zoning Ordinance or future amendments thereto.

C. To avoid undue hardship, nothing in this Zoning Ordinance shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption and on which actual building construction has been diligently conducted upon.

D. The provisions established for non-conformities shall be subject to the interpretation of the Zoning Officer. Should a dispute arise concerning the interpretation of these provisions, the person aggrieved by the interpretation may file an appeal with the Zoning Hearing Board.

Section 24020: Conformity of Proposed Land Uses

From the effective date of this Zoning Ordinance, any existing or proposed structure, building, sign, lot or land area shall not be erected, constructed, placed, altered, extended, maintained, used, or occupied except if it is in conformity with the provisions of this Zoning Ordinance.

Section 24030: Continuance of Non-Conforming Uses and Structures

From the effective date of this Zoning Ordinance, any use or structure existing at the time of the enactment of this Zoning Ordinance, but not in conformity with the permitted use provisions for the district in which it is located, may be continued subject to the following limitations, except that signs are subject to amortization specified under this Zoning Ordinance.

A. **Expansion of Non-Conforming Uses**:

1. No expansion of a non-conforming structure or use, except a single-family dwelling and its accessory buildings, shall hereafter be made unless a special exception has been filed with the Zoning Hearing Board and such expansion has been approved, subject to Section 24030.J of this Zoning Ordinance.

2. The expansion of a non-conforming use shall be limited to a distance of one hundred fifty (150) feet in any direction from the existing non-conforming use and to an area equal to fifty (50) percent of the existing non-conforming use, whichever is the lesser, or in the case of a building, expansion shall be limited to an area equal to fifty (50) percent of the existing total usable floor area of the building.

B. **Continuity of a Non-Conforming Uses**: No non-conforming use may be re-established after it has been discontinued for twelve (12) consecutive months. Vacating of premises or building or non-operative status of such premises or building shall be conclusive evidence of discontinued use.

C. **Substitution of Non-Conforming Uses**: No non-conforming use may be changed to any other non-conforming use unless the Zoning Hearing Board shall, in granting a special exception, find that the proposed non-conforming use is not more detrimental to the district than the existing non-conforming use of the property and shall not increase any dimensional aspects of non-conformity. The Zoning Hearing Board may specify such appropriate conditions and safeguards as may be required in connection with such change and the granting of such special exception, subject to the provisions of this Zoning Ordinance. The following provisions shall also apply:

1. The use proposed to be substituted shall not be more detrimental to the other uses within the zoning district than the existing non-conforming use.

2. The proposed use to be substituted shall not generate more traffic than the existing non-conforming use.

3. The proposed use to be substituted, if commercial or industrial in nature, shall not have longer hours of operation than the existing non-conforming use.

4. The proposed use to be substituted shall not generate higher levels of noise, smoke, glare or other potential nuisance conditions or safety hazards beyond the boundaries of the property than the existing non-conforming use.

5. The proposed use to be substituted shall not be more detrimental to the neighboring properties and uses than the existing non-conforming use.

6. The existing non-conforming use shall be completely abandoned.

7. A non-conforming use, if changed to a conforming use, shall not thereafter be changed back to any non-conforming use.

D. **Damage to Non-Conforming Structures**: A non-conforming structure that is partially damaged or entirely destroyed by natural or accidental causes not related to demolition may be rebuilt and occupied for the same use as before the damage, provided that:

1. The reconstructed structure shall not increase any dimensional non-conformity and that the reconstruction shall start within one (1) year from the time of damage to the structure and carried on without interruption.

2. If a non-conforming structure that is not partially damaged or entirely destroyed (as referenced under Section 24030.1) and is voluntarily removed by the landowner, the non-conforming structure cannot be re-built or replaced to maintain its non-conforming status.

3. If a landowner allows a non-conforming structure to become inhabitable or unusable through neglect and/or failure to repair the structural, mechanical or other necessary operational components, the structure shall not be rebuilt or replaced to maintain its non-conforming status.

E. **Discontinued Non-conforming Use of Open or Undeveloped Land**: All non-conforming signs, billboards, junk areas, storage areas, and other non-conforming uses of open land, when discontinued for more than ninety (90) days or damaged or deteriorated to an extent of fifty (50) percent or more of replacement costs, shall not be continued, repaired, or reconstructed.

F. **Substitution of a Non-conforming Use with a Conforming Use**: If a non-conforming use is proposed to be eliminated and a conforming use substituted but certain land regulations cannot be met (such as area, yard, height), the Zoning Hearing Board, with such appropriate conditions and safeguards as the Zoning Hearing Board may see fit, may grant a special exception to permit such non-conforming aspects of the conforming use.

G. **Location of Accessory Buildings**: Where the existing principal building is located closer to the street than is permitted by these regulations, an accessory building may be located at a setback distance equal to the distance from the street to the front of the existing principal building plus an additional fifteen (15) feet and also must comply with the front yard setback, whichever is greater..

H. **Expansion of a Single-Family Dwelling**: Expansion of a single-family dwelling that is a non-conforming use, as well as the placement of accessory buildings, is permitted provided that all building setback requirements of the district in which it is located are complied with except as provided under the provisions specified by this Zoning Ordinance.

I. **Dimensional Non-conformity**: Any dimensional non-conformity may be reduced as a use by right. No extension or enlargement of a dimensional non-conformity shall be permitted.

J. **Additional Standards for Non-Conforming Uses**: The following standards shall be applied to the review of expansion, alteration or substitution of non-conforming uses:

1. Provision for vehicular access, off-street parking, and off-street loading shall be consistent with the standards of this Zoning Ordinance.

2. Provision for yards, building height, and building area shall be consistent with the standards required for permitted uses in the district in which the non-conformity in question is located.

3. Appearance should be harmonious with surrounding properties, including but is not limited to landscaping, enclosure of principal and accessory uses, height control, signage, architecture, and maintenance of all improvements and open spaces.

4. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes but is not limited to fences, walls, plantings, and open spaces.

5. The expansion shall not create any new non-conformities or increase existing non-conformities.

6. Any expansion of a non-conforming structure or a non-conforming use located within the Floodplain Overlay District shall be regulated by the regulations specified under Section 21040 of this Zoning Ordinance.

7. Excluding expansion, any modification, alteration, repair, reconstruction, or improvement of any kind to a non-conforming use or structure within the Floodplain Overlay District shall be permitted when either elevated above the base flood elevation or flood-proofed in accordance with the requirements of this Zoning Ordinance. In no case shall any modification, alteration, repair, reconstruction, or improvement cause unacceptable increases in flood height, velocities, or frequencies.

Section 24040: Previously Expanded Non-Conforming Uses and Structures

It is the intent and purpose of this Zoning Ordinance that if a building, structure, sign, or land was expanded or extended to the limits of expansion for a non-conforming building, structure, sign, or use of land as authorized by a prior zoning regulation or ordinance, no further expansion of said building, structure, sign, or land shall be authorized. In the event a non-conforming building, structure, sign, or use of land was expanded to a portion of the limits of expansion authorized by a prior zoning regulation or ordinance, additional expansion, if permitted by this Zoning Ordinance, shall only be authorized to the amount of expansion not previously utilized pursuant to said prior zoning regulation or ordinance

Section 24050: Unsafe and Unlawful Structures

If a non-conforming structure or building or portion thereof containing a non-conforming use becomes physically unsafe or unlawful due to lack of repairs or maintenance and is declared by any duly authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired, or rebuilt except in conformity with the regulations of the district in which it is located

Section 24060: Use of Non-Conforming Lots of Record

A. Any non-conforming lot of record held in single and separate ownership on the date of enactment of this Zoning Ordinance or any amendment thereto which rendered such lot non-conforming and continuously held in single and separate ownership thereafter may be developed for any use permitted in the district in which the non-conforming lot is located, provided that such development complies with all setback, coverage, bulk, height and other requirements.

B. Any lot held in single and separate ownership on the effective date of this Zoning Ordinance, which does not meet the minimum size or width requirements of the zoning district to which it is located may be used for any use permitted in that zoning district, provided that all yard, height, coverage and open space requirements of the district are met. However, if two (2) or more lots, combination of lots, or portions of lots with continuous frontage held under single ownership are of record at the time of passage or amendment of this Zoning Ordinance and if all or parts of the lots do not meet the requirements established for lot width and/or area, the land involved shall be considered to be an undivided parcel for the purpose of this Zoning Ordinance

Section 24070: Dimensionally Non-Conforming Structures

In developed areas where existing buildings are located closer to the street than is permitted by these regulations, additions may be constructed to the front of the existing building provided that the addition does not extend closer to the street than the adjacent buildings. If the adjacent buildings have varying setbacks, the proposed addition shall not be located closer to the street than the average setback distance of the two (2) existing adjacent buildings, subject to Section 24030 of this Zoning Ordinance or ten (10) feet behind the street right-of-way line, whichever is greater.

Article 25: Administration and Enforcement

Section 25010: Statement of Intent and Application

A. The purpose and objective of the provisions established under Article 25 of this Zoning Ordinance is to establish specific regulations and guidelines for the administration and enforcement of this Zoning Ordinance.

B. Where a conflict or discrepancy should arise concerning the procedural requirements specified by this Zoning Ordinance and the Pennsylvania Municipalities Planning Code, the East Lampeter Township Solicitor shall review the conflict or discrepancy and advise the Board of Supervisors, Planning Commission, Zoning Officer, Engineer and/or Zoning Hearing Board of the procedural requirements that should be followed.

C. The provisions established for administration and enforcement, as established under Article 25 of this Zoning Ordinance shall be subject to the interpretation of the East Lampeter Township Zoning Officer and/or Solicitor. Should a dispute arise concerning the interpretation of these regulations, the person aggrieved by the interpretation may file an appeal.

Section 25020: Zoning Officer

A. Appointment: The provisions of the East Lampeter Township Zoning Ordinance shall be administered, interpreted and enforced by the East Lampeter Zoning Officer who shall be appointed by, and be responsible to, the East Lampeter Township Manager. The Zoning Officer shall not hold any elective office within East Lampeter Township and shall continue to serve East Lampeter Township until such time East Lampeter Township declares otherwise.

B. Duties and Responsibilities: The Zoning Officer is responsible to administer, interpret and enforce the provisions of this Zoning Ordinance, which shall include the following duties and powers:

1. Applications: The Zoning Officer shall receive applications and issue permits in accordance with the provisions established by this Zoning Ordinance.

2. Inspections: As part of the permit process, the Zoning Officer shall have the right, but not the duty, to inspect a property in order to determine if compliance if the applicant is in compliance with the provisions established by the Zoning Ordinance.

3. Official Records: The Zoning Officer shall maintain all applications and permit that are required by this Zoning Ordinance. The records of Zoning Officer shall be available for the use of East Lampeter Township and for inspection by any interested party during normal office hours.

4. Violations: The Zoning Officer shall serve notice of violations on any person, firm, corporation, or partnership responsible for violating any of the provisions of this Zoning Ordinance. The Zoning Officer shall also be responsible for instituting civil enforcement proceedings as a means of enforcement pursuant to the provisions specified under this Zoning Ordinance as well as the provisions that have been established by East Lampeter Township and the Commonwealth of Pennsylvania.

5. Complaints: The Zoning Officer shall investigate alleged violations of this Zoning Ordinance. If after the investigation the Zoning Officer determines that a violation has occurred, he shall take the appropriate actions as specified by this Zoning Ordinance and the Pennsylvania Municipalities Planning Code.

6. Requests: Upon the request of the Board of Supervisors, Planning Commission or the Zoning Hearing Board, the Zoning Officer shall present to such bodies facts, records, and similar information in the interest of assisting such bodies in reaching their decisions.

7. Zoning Ordinance and Zoning Map: The Zoning Officer shall be responsible for keeping this Zoning Ordinance and the Zoning Map up-to-date, including any amendments thereto.

8. Floodplain Records: The Zoning Officer shall be responsible for all records concerning the provisions and approvals relating to Floodplain Overlay District, as specified under Section 21040 of this Zoning Ordinance.

9. Preliminary Opinion: The Zoning Officer shall render a preliminary opinion regarding a proposed land use and zoning interpretation in accordance with the provisions specified under Section 25120.A of this Zoning Ordinance and the Pennsylvania Municipalities Planning Code.

10. Other Duties: The Zoning Officer shall perform all other required administrative duties specified by this Zoning Ordinance in accordance with the provisions of the Pennsylvania Municipalities Planning Code and East Lampeter Township.

C. Assistant Zoning Officer: East Lampeter Township may appoint an Assistant Zoning Officer who shall work under the direction of the East Lampeter Township Manager and Zoning Officer.

Section 25030: Permits

A. General Requirements: It shall be unlawful to commence with any subdivision, land development activities and site improvements or to change the use of any building, structure, or property, until all permits have been issued by the agencies with jurisdiction.

B. Form of Application: The application for a Zoning Permit shall be submitted in such form as the Zoning Officer may prescribe and shall be accompanied by the required fee stipulated by East Lampeter Township. Application for a Zoning Permit shall be made by the landowner, his agent or the equitable owner. The full names and addresses of the landowner, his agent or the equitable owner, and of the responsible officers if the landowner, his agent or the equitable owner is a corporate body or a partnership, shall be stated in the application.

C. Description of Work Activities: The application shall contain a general description of the proposed work and/or use and occupancy of all parts of the building, structure, sign, or land; such additional information as may be required by the Zoning Officer; and the following information, when applicable.

1. The actual dimensions and shape of the lot to be built upon.

2. The exact size and location on the lot of buildings, structures, fences, or signs existing and/or proposed extensions thereto drawn to scale.

3. The number of dwelling units, if any, to be provided.

4. Driveways and access drives.

5. The height of the structure, building, or sign.

6. Distances of buildings and structures from lot lines and street right-of-way lines.

7. Existing and proposed uses, including the number of occupied units, businesses, etc., all structures are designed to accommodate.

8. Off-street parking and loading areas and access thereto, including grades.

9. Utility systems affected and proposed, including sewage disposal systems.

10. Building coverage and lot coverage.

11. Site lighting, including lighting of signs.

12. Floor area devoted to each apartment, commercial, industrial, institutional, and home occupation use.

13. Recreation areas.

14. Screens, buffer yards, and landscaping.

15. Pedestrian access.

16. If the proposed development, excavation, or construction is located within the Floodplain Overlay District, the following information is specifically required to accompany the application.

    a. The accurate location of the floodplain and floodway.

    b. The elevation in relation to the National Geodetic Vertical Datum of the lowest floor.

    c. The elevation in relation to the NGVD to which all structures and utilities will be flood-proofed or elevated.

    d. The provisions relating to the Floodplain Overlay District are contained under Section 21040 of this Zoning Ordinance.

17. Applications involving any excavation or earthmoving shall require submission of the following:

    a. Applications for permits involving agricultural or non-agricultural use where any of the following conditions apply shall require submission of written evidence that the proposed use has a Conservation Plan or an Erosion and Sedimentation Pollution Control Plan approved by the Lancaster County Conservation District.

        (1) Where the area of earth disturbance will be one (1) acre or larger.

        (2) Where the piping of stormwater or the alteration of natural or man-made watercourses is proposed.

        (3) Where the site includes slopes exceeding ten (10) percent.

        (4) Where the site contains or abuts a body of water or a watercourse.

        (5) Where the site and proposed use or activity presents the potential for sedimentation to nearby bodies of water.

    b. Applications for permits that do not involve agricultural uses or activities, and do not involve any of those conditions listed above shall require the submission of a signed statement by the applicant that an adequate Erosion and Sediment Control Plan will be developed, implemented, and maintained prior to any excavation or earthmoving on the site.

18. Solid waste storage areas outside of buildings.

19. The following information shall be provided as a part of the application for commercial and industrial uses.

    a. A description of the operations proposed in sufficient detail to indicate the effects of those operations in producing traffic congestion, noise, glare, air pollution, water pollution, vibration, fire hazards, safety hazards, or the emission of any potentially harmful or obnoxious matter or radiation.

    b. Engineering plans for treatment and disposal of sewage and industrial waste, tailings, and unusable by-products.

    c. Engineering plans for the handling of traffic, noise, glare, air pollution, water pollution, vibration, fire hazards, or safety hazards, smoke, or emission of any potentially harmful or obnoxious matter or radiation.

    d. Designation of the manner by which sanitary sewage and storm water shall be disposed of and water supply obtained.

    e. The proposed number of shifts to be worked and the maximum number of employees on each shift.

    f. Where use by more than one (1) firm is anticipated, a list of firms which are likely to be located in the use, their floor area, and estimated number of employees shall be provided.

20. Building construction plans as may be required for approval in accordance with the provisions established by East Lampeter Township and the Commonwealth of Pennsylvania.

21. Documentation that a subdivision plan and/or land development plan have been recorded in the office of the Lancaster County Recorder of Deeds.

22. Documentation that a permit has been approved for the installation or modification of an on-lot sewage disposal system.

23. Documentation that a permit has been approved for connection to a public or community sewage disposal system and/or a public or community water supply system.

24. All other information necessary for the Zoning Officer to determine conformance with and provide for enforcement of this Zoning Ordinance.

D. Issuance of Permit: Upon receiving the application, the Zoning Officer shall examine the same within a reasonable time after filing. If the application or plans do not conform to the provisions of all pertinent laws, the Zoning Officer shall reject such application, in writing, within ninety (90) days after the application is filed, stating the reasons therefore and the manner, if any, in which the application can be corrected and/or modified to obtain approval. The Zoning Officer shall inform the applicant of his right of appeal to the Zoning Hearing Board in the event that such application is rejected. If satisfied that the proposed work or use conforms to the provisions of this Zoning Ordinance and all other pertinent laws and ordinances, the Zoning Officer shall issue a permit as soon as practical but in no event more than ninety (90) days after the application is filed. In all instances in which the Zoning Officer expresses a reasonable doubt as to the ability of a proposed use to meet all the requirements of this Zoning Ordinance, it will be incumbent upon the applicant to furnish adequate evidence in support of his application. If such evidence is not presented or if the applicant does not respond to the Zoning Officer, the permit will be denied.

E. Expiration of Permit: The Zoning Permit shall expire one (1) year from the date of issuance; however, the Permit may be extended by the Zoning Officer upon reasonable cause shown and at his discretion for one (1) or two (2) six (6) month periods, not to exceed an additional one (1) year.

F. Revocation of Permit: The Zoning Officer may revoke a Zoning Permit or approval issued under the provisions of this Zoning Ordinance in the case of any false statement or misrepresentation of fact in the application or on the plans upon which the Permit or approval was based, or if it is found that the work performed or the use to which the property is put is not in conformance with the application, or for any other cause set forth in this Zoning Ordinance.

G. Posting of Permit: A true copy of the Zoning Permit shall be kept on the site of operations. This permit must be posted at all times at a location visible to the traveling public, it must be protected from the weather, and remain legible during the entire time of prosecution of the work until completion of same as defined in the application.

H. Conditions for Permit Issuance.

1. Payment of Fees: No Zoning Permit shall be issued until the fees prescribed by the Board of Supervisors pursuant to resolution shall be paid to East Lampeter Township. The payment of fees under this section shall not relieve the applicant or holder of said Zoning Permit from payment of other fees that may be required by this Zoning Ordinance or by any other ordinances or law.

2. Compliance with Zoning Ordinance: The permit shall be a license to proceed with the work and should not be construed as authority to violate, cancel, or set aside any of the provisions of this Zoning Ordinance or any conditions which may have been imposed by the Zoning Hearing Board or Board of Supervisors.

3. Compliance with Permit and Plot Plan: All work or use shall conform to the approved application and plans for which the permit has been issued, as well as to the approved plot plan.

I. Other Permits: Pursuant to the provisions established by East Lampeter Township, additional permits may be required by local, regional, county, state and federal agencies, which shall be issued prior to the commencement of any improvement or site activities.

Section 25040: Enforcement

A. Enforcement Notice: The following general provisions shall apply to enforcement notices:

1. If it has been determined that a violation of this Zoning Ordinance has occurred, the Zoning Officer shall initiate enforcement proceedings by sending an enforcement notice in accordance with the provisions established by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

2. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner of record.

3. An enforcement notice shall specify the nature of the zoning office as well as all information and documentation specified by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

4. The Zoning Officer shall issue the enforcement notice in accordance with the provisions specified by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

B. Causes of Action: In case any building, structure, landscaping, or land is or is proposed to be erected, constructed, reconstructed, altered, converted, maintained, or used in violation of this Zoning Ordinance, the Zoning Officer, or any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any appropriate action or proceeding to prevent, restrain, correct, or abate such building, structure, landscaping, or land, or to prevent in or about such premises any act, conduct, business, or use constituting a violation. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon East Lampeter Township at least thirty (30) days prior to the time the action is begun by serving a copy of the complaint on the Board of Supervisors. No such action may be maintained until such notice has been given.

C. Enforcement Remedies:

1. The District Justices shall have initial jurisdiction over proceedings brought under this Zoning Ordinance.

2. Any person, partnership, or corporation who or which has violated or permitted the violation of the provisions of this Zoning Ordinance shall be subject to the enforcement remedies and penalties, which are further specified under this Zoning Ordinance.

3. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.

4. Nothing contained within this Zoning Ordinance shall be construed or interpreted to grant to any person or entity other than East Lampeter Township the right to commence any action for enforcement in accordance with this Zoning Ordinance.

Section 25050: Zoning Hearing Board

A. General Provisions: The following general provisions shall apply to the appointment, membership, removal, vacancy, compensation and expenditure requirements for the Zoning Hearing Board:

1. Appointment: The Board of Supervisors shall appoint three (3) residents to serve as members of the Zoning Hearing Board in accordance with the provisions of East Lampeter Township and Pennsylvania Municipalities Planning Code.

2. Alternates: The Board of Supervisors may appoint three (3) alternates to serve as members of the Zoning Hearing Board on an as needed basis in accordance with the provisions of East Lampeter Township and Pennsylvania Municipalities Planning Code.

3. Terms: The members of the Zoning Hearing Board shall serve three (3) year terms and shall be so fixed that the term of office of one (1) member shall expire each year.

4. Vacancy: The Zoning Hearing Board shall promptly notify the Board of Supervisors of any vacancies, which may occur. Appointments to fill vacancies shall be only for the unexpired portion of the term.

5. Conflict of Interest: The members of the Zoning Hearing Board shall not be an employee of East Lampeter Township and shall not hold any other office within East Lampeter Township.

6. Removal: Any member of the Zoning Hearing Board may be removed for malfeasance, misfeasance or nonfeasance in office, or for other just cause, as determined by a majority vote of the Board of Supervisors taken after the member has received fifteen (15) days of advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.

7. Compliance: The Zoning Hearing Board shall act in strict accordance with the procedures specified within East Lampeter Township and the Pennsylvania Municipalities Planning Code.

B. Organization and Protocol: The following provisions shall apply to the organization, protocol and operating procedures of the Zoning Hearing Board:

1. Officers: The Zoning Hearing Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves.

2. Hearings: The Zoning Hearing Board shall hold public hearings pursuant to public notice to consider zoning variances, special exception applications, appeals and other procedures specified by this Zoning Ordinance.

3. Quorum: For the conduct of any hearing and considering any action, a quorum shall be not less than a majority of all members of the Zoning Hearing Board.

4. Hearing Officer: The Zoning Hearing Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf, and the parties may waive further action by the Zoning Hearing Board, as provided by East Lampeter Township.

5. Appointments: The Zoning Hearing Board may appoint a solicitor or attorney to oversee the procedures of the hearing in accordance with the provisions established by of East Lampeter Township and the Pennsylvania Municipalities Planning Code.

6. Records: The following provisions shall apply to the records of the Zoning Hearing Board:

a. The Zoning Hearing Board shall keep full public records of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, then indicating such fact.

b. The Zoning Hearing Board shall also keep full public records of its business and other official action, copies of which shall be maintained by East Lampeter Township. Such records shall be the property of East Lampeter Township.

c. The Zoning Hearing Board may assign a stenographer, court reporter or secretary to record the testimony and minutes from the hearing.

d. If requested by the Board of Supervisors, the Zoning Hearing Board shall submit an annual report of its actions and activities to the Board of Supervisors.

7. Fees and Expenditures: The following provisions shall apply to expenditures and fees for the East Lampeter Township Zoning Hearing Board:

a. The members of the Zoning Hearing Board may receive compensation for the performance of their duties and services, which shall be established by the Board of Supervisors.

b. Within the limits of funds appropriated by the Board of Supervisors, the Zoning Hearing Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical services.

c. The applicant before the Zoning Hearing Board shall deposit with the designated secretary or treasurer of East Lampeter Township such a sum of money as shall be deemed sufficient by the Zoning Hearing Board and established in a resolution to pay the cost of the expenses for the hearing. These costs may include compensation in accordance with the provisions of the MPC.

8. The Zoning Hearing Board may make, alter and rescind rules and forms for its procedure, consistent with the provisions of East Lampeter Township and laws of the Commonwealth of Pennsylvania.

C. Jurisdiction of Adjudications: The Zoning Hearing Board shall have exclusive jurisdiction to conduct hearings and render decisions in the following matters

1. Applications for variances from the terms of this Zoning Ordinance, subject to the provisions specified under Section 25060 of this Zoning Ordinance.

2. Applications for special exceptions for certain uses and applications, subject to the specified under Section 25070 of this Zoning Ordinance.

3. Substantive challenges to the validity of this Zoning Ordinance, except for those brought before the Board of Supervisors pursuant to the provisions specified by the Pennsylvania Municipalities Planning Code.

4. Challenges to the validity of this Zoning Ordinance raising procedural questions or alleged defects in the process of enactment or adoption which challenges shall be raised by an appeal taken within thirty (30) days after the effective date of this Zoning Ordinance.

5. Appeals from the determination of the Zoning Officer, including, but not limited to: the granting or denial of any permit; failure to act upon an application; the issuance of an enforcement notice; the issuance of a cease and desist order; and/or decisions made by the Zoning Officer as the administrator of this Zoning Ordinance.

6. Appeals from the Zoning Officer's determination to obtain preliminary opinion in accordance with provisions specified under Section 25120 of this Zoning Ordinance.

7. Appeals from a determination by the East Lampeter Township Zoning Officer with reference to the administration of the Airport Overlay District and/or Floodplain Overlay District, as specified under Sections 21030 and 21040 of this Zoning Ordinance.

D. Applications: The following procedures shall be required for an application to the Zoning Hearing Board:

1. East Lampeter Township shall review and process all applications and appeals submitted to the Zoning Hearing Board in accordance with the provisions specified by the Pennsylvania Municipalities Planning Code and by this Zoning Ordinance.

2. All application and appeals submitted to the Zoning Hearing Board shall be in writing on the forms prescribed by East Lampeter Township.

3. Every application and appeal shall refer to the specific provision of this Zoning Ordinance involved and shall exactly set forth the interpretation that is claimed, the grounds for any challenges to the validity of this Zoning Ordinance, the use for which a special exception is sought, or the details of the variance that is applied for and the grounds on which it is claimed that the variance should be granted, as the case may be. All appeals and any stay of proceedings shall be in accordance with the provisions established by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

4. Applications and appeals, together with the required filing fee as established by the Board of Supervisors, shall be submitted to East Lampeter Township. At a minimum, all materials required for a Zoning Permit, as well as other information requested by the Zoning Officer, shall be submitted with the application. The applicant shall also submit a description of the operations proposed in sufficient detail to indicate the effects of those operations proposed in producing traffic congestion, noise, glare, water pollution, fire hazards, safety hazards, and other potentially harmful activities.

5. The burden of proof in all zoning cases coming before the Zoning Hearing Board shall be upon the applicant to establish compliance with all requirements of this Zoning Ordinance pertaining to the matter before the Zoning Hearing Board.

E. Public Hearings: The Zoning Hearing Board shall conduct public hearings and render decisions in accordance with the provisions specified by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

F. Time Limitations: The Zoning Hearing Board shall consider all applications in accordance with the provisions established by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

G. In all cases before the Zoning Hearing Board, the Board of Supervisors, Planning Commission and Zoning Officer may review and comment on the application prior to rendering a decision.

Section 25060: Zoning Variances

A. The Zoning Hearing Board shall hear requests for zoning variance applications, whereas it is alleged that the provisions of this Zoning Ordinance inflict unnecessary hardship upon the applicant. The zoning variance application shall be considered by the Zoning Hearing Board in accordance with the provisions specified by this Zoning Ordinance and the Pennsylvania Municipalities Planning Code.

B. In granting any variance, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Zoning Ordinance and the Pennsylvania Municipalities Planning Code. The Zoning Hearing Board may, by rule, prescribe the form of application and may require a preliminary application to be issued and reviewed by the Zoning Officer.

C. In all cases before the Zoning Hearing Board, the Board of Supervisors, Planning Commission and Zoning Officer may review and comment on the zoning variance application prior to the Zoning Hearing Board rendering a decision.

D. The Zoning Hearing Board has the authority to grant a variance in accordance with the provisions established by this Zoning Ordinance and the Pennsylvania Municipalities Planning Code.

E. If a permit is required to satisfy the conditions of approval for the zoning variance application, the applicant shall obtain the required permit(s) within six (6) months from the approval date of the zoning variance application. All required site improvements and construction activities stipulated by the permit(s) shall be completed within one (1) year from the date that the permit(s) have been issued by East Lampeter Township or the authorized agencies with jurisdiction.

F. If a subdivision or land development plan is required to implement a variance granted by the Zoning Hearing Board, the zoning variance shall remain valid provided that the time frames, terms and conditions have been achieved by the applicant in accordance with the provisions specified by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

G. If a subdivision or land development plan is not required to implement a variance granted by the Zoning Hearing Board, the zoning variance shall remain valid provided that the time frames, terms and conditions have been achieved by the applicant in accordance with the provisions specified by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

H. If the applicant should fail to comply with the decision rendered by the Zoning Hearing Board or fail to comply with the provisions specified by this Zoning Ordinance, the decision and order issued by the Zoning Hearing Board shall expire and any approvals granted by the zoning variance application shall become voided.

I. For zoning variance applications, where compliance with the minimum dimensional requirements and/or maximum coverage requirements of this Zoning Ordinance are considered to be “de minimis” in terms of their impact, the Zoning Hearing Board may consider such application in accordance with the laws of the Commonwealth of Pennsylvania.

Section 25070: Special Exceptions

A. The Zoning Hearing Board shall consider the special exception applications in accordance with the provisions established by this Zoning Ordinance and by the Pennsylvania Municipalities Planning Code.

B. The Zoning Hearing Board shall consider the comments issued by the East Lampeter Township Board of Supervisors, Planning Commission, Engineer, Zoning Officer and/or other agencies that could assist the Zoning Hearing Board with the special exception application. All such comments shall be made either in writing and presented as evidence during the hearing or as part of sworn testimony at the public hearing.

C. In granting any special exception, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Zoning Ordinance and the Pennsylvania Municipalities Planning Code, as amended. The Zoning Hearing Board may, by rule, prescribe the form of application and may require a preliminary application to be issued and reviewed by the Zoning Officer.

D. The Zoning Hearing Board shall consider the following issues prior to rendering its decision on a special exception application:

1. That such use is consistent with the Comprehensive Plan.

2. That such use shall be one, which is specifically authorized as a special exception use within the zoning district wherein the applicant seeks a special exception.

3. That the property is suitable for the use desired and that the proposed request is consistent with the purpose and community development objectives established by this Zoning Ordinance.

4. That such special exception shall only be granted subject to any applicable condition and safeguards as required by this Zoning Ordinance.

5. That such use shall not adversely affect the general character of the neighborhood and/or property values of the adjacent uses.

6. That such use shall not adversely affect the health, safety and/or welfare of residents or property owners within the general neighborhood.

7. That there will be no adverse effect from the proposed use on community facilities and services, including, water supply, sewage disposal, streets, police and fire protection, emergency management services, municipal services, schools, and all other similar facilities and services.

8. That the proposed location of any residential or non-residential use is suitable with respect to probable effects upon highway traffic and assures adequate access arrangements in order to protect major streets and highways from undue congestion and hazard.

9. The adequacy of sanitation and public safety provisions.

10. The Zoning Hearing Board may impose such conditions, in addition to those required, as are necessary to assure that the intent of the Zoning Ordinance is complied with, which conditions may include, but are not limited to: harmonious design of buildings; planting and its maintenance as a sight or sound screen; the minimizing of noxious, offensive or hazardous elements; adequate standards for parking and sanitation; and other reasonable conditions.

E. The Zoning Hearing Board shall advertise and conduct the special exception hearing in accordance with the provisions established by East Lampeter Township and the Pennsylvania Municipalities Planning Code

F. If a permit is required to satisfy the conditions of approval for the special exception application, the applicant shall obtain the required permit(s) within one (1) year from the approval date of the special exception application. All required site improvements and construction activities stipulated by the permit(s) shall be completed within one (1) year from the date that the permit(s) have been issued by East Lampeter Township or the authorized agencies with jurisdiction.

G. If a subdivision or land development plan is required to implement a special exception granted by the Zoning Hearing Board, the special exception shall remain valid provided that the time frames, terms and conditions have been achieved by the applicant in accordance with the provisions specified by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

H. If a subdivision or land development plan is not required to implement a special exception granted by the Zoning Hearing Board, the special exception shall remain valid provided that the time frames, terms and conditions have been achieved by the applicant in accordance with the provisions specified by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

I. If the applicant should fail to comply with the decision rendered by the Zoning Hearing Board or fail to comply with the provisions specified by this Zoning Ordinance, the decision and order issued by the Zoning Hearing Board shall expire and any approvals granted by the special exception application shall become voided.

J. Unless otherwise stipulated as part of the special exception decision issued by the by the Zoning Hearing Board, East Lampeter Township may consider granting a time extension in order for the landowner or applicant to comply with the provisions specified under Sections 25050.F of this Zoning Ordinance.

Section 25080: Conditional Uses

A. The Board of Supervisors shall hear requests for conditional use applications, as permitted in accordance with the provisions specified by this Zoning Ordinance and the Pennsylvania Municipalities Planning Code.

B. In granting any conditional use, the Board of Supervisors may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Zoning Ordinance.

C. Unless otherwise required by East Lampeter Township, a preliminary subdivision plan or preliminary land development plan shall be prepared and submitted with the conditional use application for review and consideration in accordance with the procedures and requirements specified by East Lampeter Township.

D. Prior to the commencement of the conditional use hearing or during the proceedings of the conditional use hearing, the Board of Supervisors shall consider the comments of the East Lampeter Township Planning Commission, Zoning Officer, Engineer, the appointed professional consultants and/or other agencies that could assist the Board of Supervisors with the merits of the conditional use application. All such comments shall be made either in writing and presented as evidence during the hearing or as part of sworn testimony at the conditional use hearing.

E. All of the standards for conditional uses hereinafter set forth shall, where relevant, apply to all conditional uses within East Lampeter Township and are deemed definitional in character so that the failure to comply with any standards shall be deemed a failure to bring the applicant within that definitional aspect for which a conditional use may be granted; or, in the discretion of the Board of Supervisors, such failure to comply with the standards may be deemed a basis for the impositions of appropriate conditions to such grant. It is further the intention of the Board of Supervisors that the standards hereinafter described shall be deemed additional standards and shall in no way impair any other applicable standard described elsewhere in this Zoning Ordinance. Where there is a conflict between the standards set forth in this article and other standards elsewhere established by this Zoning Ordinance or other applicable ordinances, it is intended that the more stringent thereof shall apply, and it is not the intent of this article to abrogate or impair any other such standards or requirements.

F. The Board of Supervisors shall consider the following general issues and site requirements prior to rendering its decision on a conditional use application:

1. That such use is consistent with the Comprehensive Plan.

2. That the property is suitable for the use desired and that the proposed request is consistent with the purpose and community development objectives established by this Zoning Ordinance.

3. The minimum and maximum dimensional requirements for the proposed use within the appropriate zoning district shall be held in compliance by the applicant.

4. The applicant shall establish by a fair preponderance of credible evidence that the use intended at the location intended shall not be contrary to the public health, safety, morals and/or public welfare.

5. The applicant shall provide evidence with supporting documentation that the capacity of the road system providing access to the property or lot in question has sufficient capacity to accommodate the use.

6. The applicant shall provide evidence with supporting documentation that the traffic circulation for the proposed use at the proposed location, including but not limited to acceleration and deceleration lanes where required at the proposed entrances to the location, shall be adequate to provide safe and convenient circulation for users of the facility, visitors to the facility, employees of the facility and all emergency vehicles that may require entrance thereon.

7. The applicant shall provide evidence with supporting documentation the facility or use provides safe and convenient pedestrian access and internal circulation within the grounds of the facility and particularly for points of access from the facility to the parking areas.

8. The applicant shall provide evidence with supporting documentation that adequate screening and buffering is provided between the lands in question and surrounding residential uses and residentially zoned districts to screen the facility from view so as to preclude glare from lighting or noise from the operation from being greater than or more objectionable, at the property boundaries, than that from normal uses which are permitted by right within the zoning district with which the facility or use is located.

9. That there will be no adverse effect from the proposed use on community facilities and services, including, water supply, sewage disposal, streets, police and fire protection, emergency management services, municipal services, schools, and all other similar facilities and services.

10. The applicant shall provide evidence with supporting documentation that the local police and fire departments have the abilities to provide adequate emergency management services for the use.

11. The applicant shall provide evidence with supporting documentation that adequate water supply and storage is available within the region for fire-fighting purposes without adversely impairing the uses of the water supply for ordinary purposes on the premises and shall be in compliance with all applicable governmental regulations.

12. The applicant shall provide evidence with supporting documentation that the existing or proposed water supply facilities have sufficient capacity for the proposed use.

13. The applicant shall provide evidence with supporting documentation that the existing or proposed sanitary sewage disposal facilities have sufficient capacity for the proposed use.

14. Where in the opinion of the Board of Supervisors, the use or facility may require supervision and protection, the applicant shall provide evidence with supporting documentation that additional security measures will be accounted for by the owner or site manager so the facility or use does not create a continuous burden on the emergency management services and providers.

G. The Board of Supervisors shall process, review and consider the conditional use application in accordance with the provisions established by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

H. The Board of Supervisors shall advertise and conduct the conditional use hearing in accordance with the provisions established by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

I. Nothing in this section shall be construed to relieve the applicant for a conditional use approval from obtaining all other required approvals mandated by East Lampeter Township as well as other pertinent laws, ordinances and regulations that have been adopted by local, state and federal agencies. This may include the submission of a subdivision plan and/or land development plan to be prepared by the applicant and submitted to East Lampeter Township.

J. If a permit is required to satisfy the conditions of approval for the conditional use application, the applicant shall obtain the required permit(s) within one (1) year from the approval date of the conditional use application. All required site improvements and construction activities stipulated by the permit(s) shall be completed within one (1) year from the date that the permit(s) have been issued by East Lampeter Township or the authorized agencies with jurisdiction.

K. If a subdivision or land development plan is required to implement the approval of a conditional use application by the Board of Supervisors, the conditional use shall remain valid provided that the applicant complies with all stipulations issued by the Board of Supervisors.

L. If a subdivision or land development plan is not required to implement the conditional use decision, the conditional use shall remain valid provided that the applicant complies with all stipulations issued by the Board of Supervisors..

M. If the applicant should fail to comply with the decision rendered by the Board of Supervisors or fail to comply with the provisions specified by this Zoning Ordinance, the decision and order issued by the Board of Supervisors shall expire and any approvals granted by the conditional use application shall become voided.

N. Unless otherwise stipulated as part of the conditional use decision, the Board of Supervisors may consider granting a time extension in order for the landowner or applicant to comply with the provisions specified by this Zoning Ordinance.

Section 25090: Amendments

A. Zoning Amendments: The Board of Supervisors may from time to time amend, supplement, change, modify or repeal the contents of this Zoning Ordinance including the Zoning Map. All such amendments shall be considered in accordance with the provisions established by East Lampeter Township and Pennsylvania Municipalities Planning Code.

B. If an amendment to the Zoning Ordinance, a public hearing shall be scheduled and conducted in accordance with the provisions established by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

C. Curative Amendment: A landowner who desires to challenge on substantive grounds the validity of this Zoning Ordinance, which prohibits or restricts the use or development of land in which he has an interest may submit a curative amendment to the Board of Supervisors. The following provisions shall apply to a curative amendment:

1. A curative amendment shall be formally submitted by a landowner as a written request that his challenge and proposed amendment be heard by East Lampeter Township.

2. All such curative amendments shall be reviewed, considered and decided in accordance with the provisions established by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

3. East Lampeter Township by formal action, may declare this Zoning Ordinance or portions thereof substantively invalid and propose the preparation of a municipal curative amendment to overcome such invalidity. All such municipal curative amendments shall be decided as provided in accordance with the appropriate provisions that are established by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

4. All landowner curative amendments and/or municipal curative amendments shall be referred to the East Lampeter Township Planning Commission and the Lancaster County Planning Commission at least thirty (30) days prior to the initial hearing date to provide both agencies with an opportunity to submit recommendations.

5. The advertisement, posting and scheduling of the public hearing shall be conducted in accordance with the appropriate provisions that are established by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

D. All enacted amendments to this Zoning Ordinance shall be maintained by East Lampeter Township and included as part of Appendix C of this Zoning Ordinance.

Section 25100: Exemptions

A. This Zoning Ordinance shall not apply to any existing or proposed buildings, or extension thereof, used or to be used by a public utility corporation if, upon petition of the corporation, the Pennsylvania Public Utility Commission shall, after a public hearing, decide that the present or proposed building in question is reasonably necessary for the convenience or welfare of the public. This exemption shall not apply to telecommunications antennas, communications equipment buildings, and communication towers for wireless telecommunication services regulated under the Telecommunications Act of 1996.

B. No exemption shall be granted by East Lampeter Township for any use, building, structure, or sign unless evidence has been submitted to justify that the exemption is warranted under the laws, rules, and regulations of the Commonwealth of Pennsylvania.

Section 25110: Opinions, Mediation and Appeals

A. Preliminary Opinion: In order not to delay unreasonably the time when a landowner may secure assurance that this Zoning Ordinance or Zoning Map under which he proposes to build is free from challenge, and recognizing that the procedure for preliminary approval of his development may be too cumbersome or may be unavailable, the landowner may advance the date from which time for any challenge to this Zoning Ordinance or Zoning Map will run under Section 914.1 of the Pennsylvania Municipalities Planning Code by following the procedures set forth in the Pennsylvania Municipalities Planning Code.

B. Mediation: If necessary, mediation proceedings shall be conducted in accordance with the provisions established by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

C. Appeals: All appeals concerning the review, application, interpretation and decisions authorized by this Zoning Ordinance shall be in accordance with the appropriate provisions that are established by East Lampeter Township and the Pennsylvania Municipalities Planning Code. All such appeals concerning an alleged error in the processing or enactment of any components of this Zoning Ordinance shall be raised by appeal taken directly from the action of the Board of Supervisors to the appropriate court, which shall not be filed later than thirty (30) days from the effective date of this Zoning Ordinance.

Section 25120: Filing Fees and Costs

A. The Board of Supervisors shall establish by resolution a schedule of fees, charges and expenses as well as the collection procedures for zoning permits, certificates of occupancy, special exceptions, variances and appeals and other matters pertaining to this Zoning Ordinance. The resolution or schedule of the fees shall be available for inspection in the office of the East Lampeter Township Zoning Officer.

B. The Board of Supervisors may alter or change the schedule of the fees by resolution in accordance with the appropriate provisions established by East Lampeter Township and the Pennsylvania Municipalities Planning Code.

Section 25130: Violations, Penalties and Remedies

A. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Zoning Ordinance shall, upon being found liable in a civil enforcement proceeding commenced by East Lampeter Township, pay a maximum judgment of $500 per day per violation, plus all related court costs, including reasonable attorney fees incurred by East Lampeter Township as a result thereof.

B. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, East Lampeter Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determines otherwise as prescribed by the Pennsylvania Municipalities Planning Code.

C. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.

D. Nothing contained in this Zoning Ordinance shall be construed or interpreted to grant to any person or entity other than East Lampeter Township the right to commence any action for enforcement pursuant to this Zoning Ordinance.

E. In the event any building, structure or land is or is proposed to be erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Zoning Ordinance, or in case any land, building or structure for which a use and occupancy permit is required is conveyed or possession otherwise transferred to a bona fide purchaser or lessee without obtaining such certificate of occupancy and delivering the same to such bona fide purchaser or lessee at or prior to conveyance or transfer of possession, whichever first occurs, the Board of Supervisors, in addition to other remedies, may institute in the name of East Lampeter Township any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure or land or the conveyance thereof, or to prevent in or about such premises any act, conduct, business or use constituting a violation.

Article 26: Municipal Enactment

Section 26010: Validity and Severance

A. If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, or word in this Zoning Ordinance is declared for any reason to be illegal, unconstitutional, or invalid by any court of competent jurisdiction, such decision shall not affect or impair the validity of the Zoning Ordinance as a whole, or any other article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word, or remaining portion of the Zoning Ordinance.

B. The Board of Supervisors hereby declares that it would have adopted the Zoning Ordinance and each article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, and word thereof, irrespective of the fact that any one (1) or more of the articles, sections, subsections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases, or words may be declared illegal, unconstitutional or invalid.

Section 26020: Repealer

A. Except as otherwise required by law, the East Lampeter Township Zoning Ordinance is intended as a continuation of, and not a repeal of, existing regulations governing the subject matter. To the extent that this Zoning Ordinance restates regulations contained in ordinances previously enacted by the East Lampeter Township Board of Supervisors, this Zoning Ordinance shall be considered a restatement and not a repeal of such regulations.

B. The East Lampeter Zoning Ordinance adopted on May 16, 2016 via Ordinance 323 is hereby amended in its entirety and shall be replaced with this Zoning Ordinance, as amended on _____ via Ordinance _____.

C. It is the specific intent of the Board of Supervisors that all provisions of this Zoning Ordinance shall be considered in full force and effect as of the date such regulations were initially enacted. All zoning ordinances or parts of zoning ordinances inconsistent with the provisions of this Zoning Ordinance are hereby repealed.

D. It is expressly provided that the provisions of this Zoning Ordinance shall not affect any act done, contract executed or liability incurred prior to its effective date, or affect any suit or prosecution pending or to be instituted to enforce any rights, rule, regulation or ordinance, or part thereof, or to punish any violation which occurred under any prior zoning regulation or ordinance.

E. In the event any violation has occurred under any prior zoning regulation or ordinance of East Lampeter Township, prosecution may be initiated against the alleged offender pursuant to the provisions of said prior zoning regulation or ordinance, and the provisions and penalties provided in said prior zoning regulation or ordinance shall remain effective as to said violation.

Section 26030: Effective Date

The East Lampeter Township Board of Supervisors has enacted the East Lampeter Township Zoning Ordinance of 2016, as amended on _____, as part of East Lampeter Township Ordinance Number _____. The East Lampeter Township Zoning Ordinance of 2016, as amended shall become effective five (5) days after the adoption date by the East Lampeter Township Board of Supervisors.

Section 26040: Municipal Adoption by the East Lampeter Township Board of Supervisors

The East Lampeter Township Zoning Ordinance of 2016 has been hereby comprehensively amended in order to implement the Comprehensive Plan. The East Lampeter Township Zoning Ordinance of 2016, as amended is hereby enacted by the East Lampeter Township Board of Supervisors, Lancaster County, Pennsylvania, on _____.

East Lampeter Township Board of Supervisors

_____

Chairman

_____

Vice-Chairman

_____

Member

_____

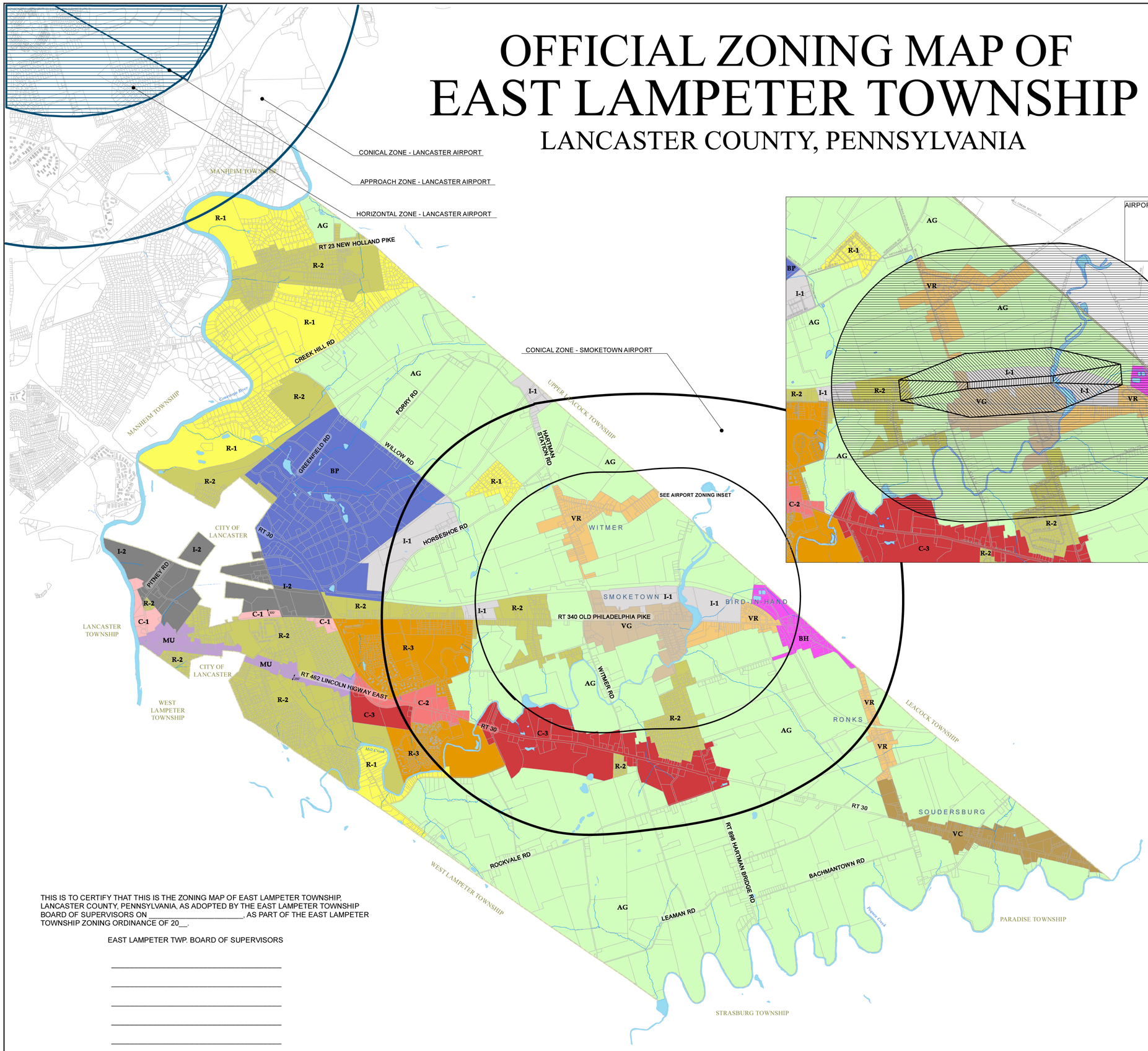
Member

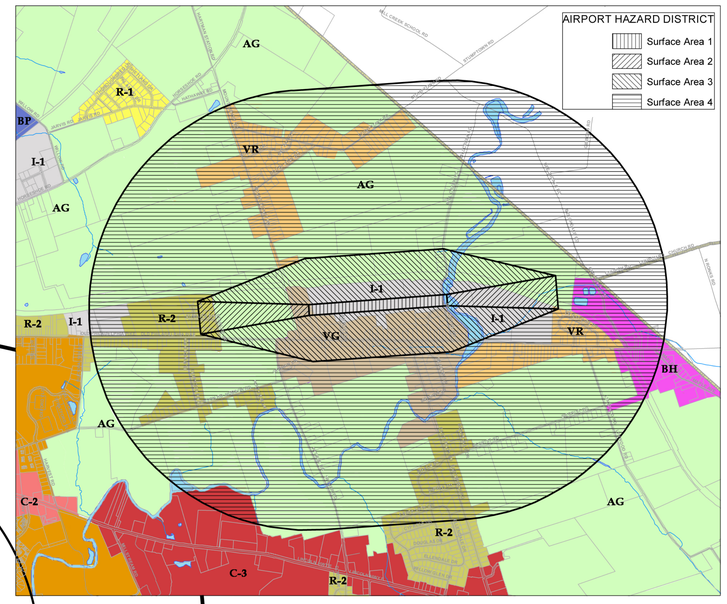
ATTEST:

_____ _____

Member East Lampeter Township Manager

OFFICIAL ZONING MAP OF
EAST LAMPETER TOWNSHIP
LANCASTER COUNTY, PENNSYLVANIA





Zoning District Boundaries: Unless otherwise specified within the East Lampeter Zoning Ordinance, the following rules and guidelines shall apply to the interpretation of the district boundaries depicted on the Zoning Map:

1. Where district boundaries are indicated as approximately coinciding with the centerlines of streets, highways, lanes, alleys, railroad tracks, rivers or creeks, such centerline shall be construed to be such boundaries.

2. Where district boundaries are indicated as approximately coinciding with lot lines or deed lines, which were in effect at the date of the Zoning Ordinance, such lines shall be construed to be such boundaries.

3. Where district boundaries are indicated as approximately coinciding or municipal boundary lines, such lines shall be construed to be such boundaries.

4. Where district boundaries are indicated as being approximately parallel to the center or right-of-way lines of streets or highways, lanes, alleys, railroad tracks, rivers or creeks, such district boundaries shall be construed as being parallel to the center or right-of-way lines at such distance as is indicated on the Zoning Map.

5. Where district boundaries are indicated as being approximately perpendicular to the right-of-way lines of a street, such district boundaries shall be construed as being perpendicular to the right-of-way lines.

6. Where district boundaries are referenced by a distance or measurement from a specific feature, such distance shall be measured in feet and the district boundaries shall follow the specified setback. Where distances or measurements are not specifically referenced on the Zoning Map, the scale of the Zoning Map shall determine the unspecified setback.

7. Where a district boundary line divides a lot which was in single ownership at the effective date of this Ordinance, at the election of the property owner, the regulations of either zoning district may be extended a distance of not more than fifty (50) feet beyond the district boundary line onto the remaining portion of the lot.

8. Where physical or cultural features existing on the ground are inconsistent with those indicated on the Zoning Map, or when circumstances not covered within the context of this Section apply, the Zoning Hearing Board shall interpret the district boundaries.

9. The information pertaining to the Airport Overlay District depicted on this Zoning Map is also depicted on the Lancaster Airport Height Limitation Map and the Smoketown Airport Height Limitation Map, which have been prepared by the Pennsylvania Department of Transportation, Bureau of Aviation.

10. The term "Airport Overlay District" shall also be synonymous with the term "Airport Hazard Area", which is recognized and regulated by the Pennsylvania Department of Transportation and the Federal Aviation Administration. The provisions of the Airport Overlay District are further specified under Section 21030 (Airport Overlay District) of this Zoning Ordinance.

REVISIONS

ORD. NO.	DATE	DESCRIPTION
	4/12/17	ZONING CHANGES PER TOWNSHIP

THIS IS TO CERTIFY THAT THIS IS THE ZONING MAP OF EAST LAMPETER TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA, AS ADOPTED BY THE EAST LAMPETER TOWNSHIP BOARD OF SUPERVISORS ON _____, AS PART OF THE EAST LAMPETER TOWNSHIP ZONING ORDINANCE OF 20__.

EAST LAMPETER TWP. BOARD OF SUPERVISORS

_____

_____

_____

_____

_____

N W E S

0 0.25 0.5 0.75 1 Miles

1 inch = 0.25 miles
1 inch = 1,320 feet

DATE: 5/16/16

Note: The written scale is based on the full size version of this map (36" x 48") and is not applicable for reduced copies.

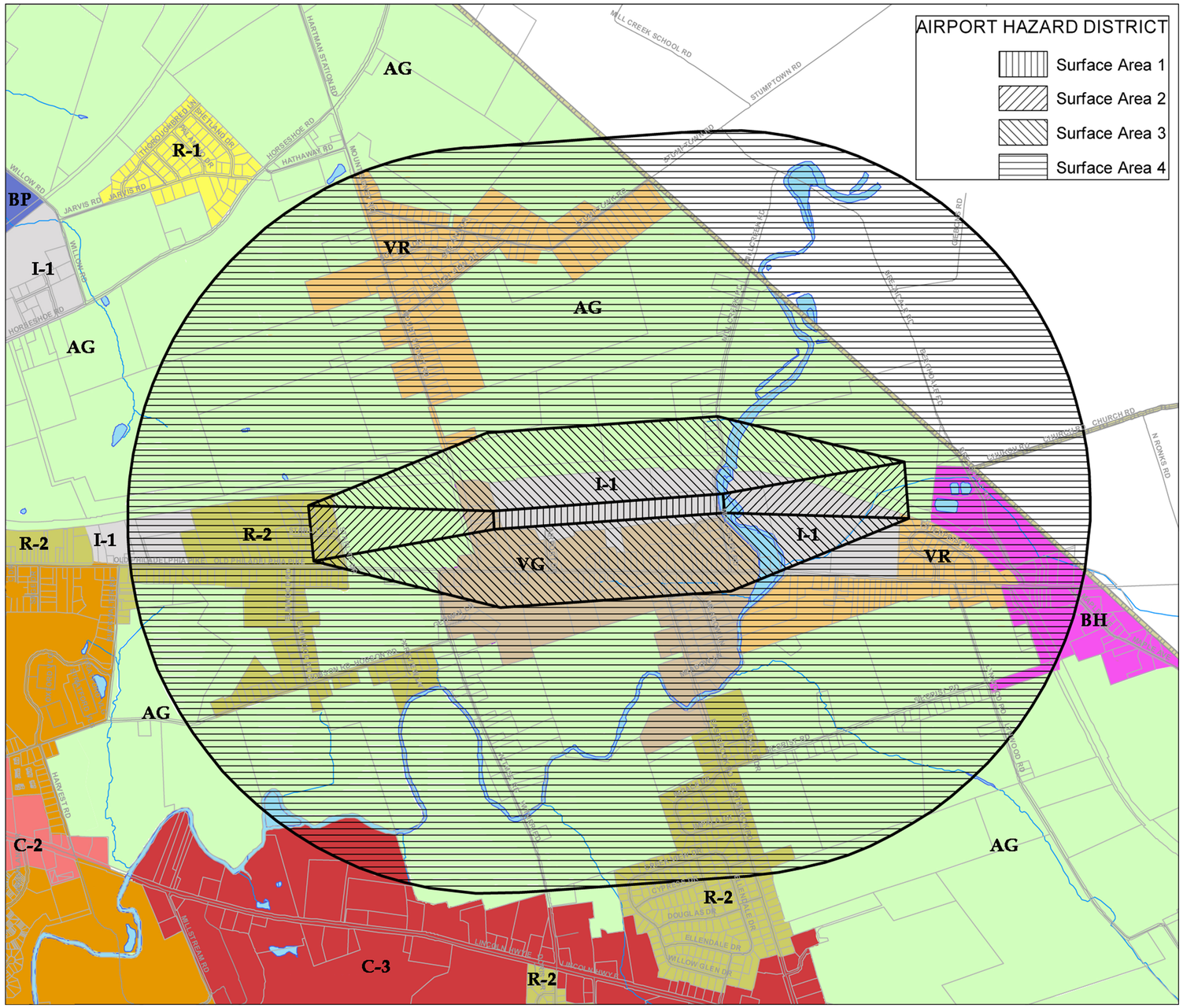
Legend

- Municipal Boundary
- Streams/Ponds
- Parcels

Zoning Districts

- (AG) AGRICULTURAL
- (R-1) LOW DENSITY RESIDENTIAL
- (R-2) MEDIUM DENSITY RESIDENTIAL
- (R-3) HIGH DENSITY RESIDENTIAL
- (C-1) NEIGHBORHOOD COMMERCIAL
- (C-2) GENERAL COMMERCIAL
- (C-3) REGIONAL COMMERCIAL
- (I-1) LIGHT INDUSTRIAL
- (I-2) GENERAL INDUSTRIAL
- (BP) BUSINESS PARK
- (MU) MIXED USE
- (VG) VILLAGE GENERAL
- (VC) VILLAGE COMMERCIAL
- (VR) VILLAGE RESIDENTIAL
- (BH) BIRD-IN-HAND

OFFICIAL ZONING MAP OF
EAST LAMPETER TOWNSHIP
LANCASTER COUNTY, PENNSYLVANIA



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2. Where district boundaries are indicated as approximately coinciding with lot lines or deed lines, which were in effect at the date of the Zoning Ordinance, such lines shall be construed to be such boundaries.

3. Where district boundaries are indicated as approximately coinciding or municipal boundary lines, such lines shall be construed to be such boundaries.

4. Where district boundaries are indicated as being approximately parallel to the center or right-of-way lines of streets or highways, lanes, alleys, railroad tracks, rivers or creeks, such district boundaries shall be construed as being parallel to the center or right-of-way lines at such distance as is indicated on the Zoning Map.

5. Where district boundaries are indicated as being approximately perpendicular to the right-of-way lines of a street, such district boundaries shall be construed as being perpendicular to the right-of-way lines.

6. Where district boundaries are referenced by a distance or measurement from a specific feature, such distance shall be measured in feet and the district boundaries shall follow the specified setback. Where distances or measurements are not specifically referenced on the Zoning Map, the scale of the Zoning Map shall determine the unspecified setback.

7. Where a district boundary line divides a lot which was in single ownership at the effective date of this Ordinance, at the election of the property owner, the regulations of either zoning district may be extended a distance of not more than fifty (50) feet beyond the district boundary line onto the remaining portion of the lot.

8. Where physical or cultural features existing on the ground are inconsistent with those indicated on the Zoning Map, or when circumstances not covered within the context of this Section apply, the Zoning Hearing Board shall interpret the district boundaries.

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10. The term "Airport Overlay District" shall also be synonymous with the term "Airport Hazard Area", which is recognized and regulated by the Pennsylvania Department of Transportation and the Federal Aviation Administration. The provisions of the Airport Overlay District are further specified under Section 21030 (Airport Overlay District) of this Zoning Ordinance.

REVISIONS

ORD. NO.	DATE	DESCRIPTION
	4/10/17	ZONING CHANGES PER TOWNSHIP

THIS IS TO CERTIFY THAT THIS IS THE ZONING MAP OF EAST LAMPETER TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA, AS ADOPTED BY THE EAST LAMPETER TOWNSHIP BOARD OF SUPERVISORS ON _____, AS PART OF THE EAST LAMPETER TOWNSHIP ZONING ORDINANCE OF 20__.

EAST LAMPETER TWP. BOARD OF SUPERVISORS

_____

_____

_____

_____

_____

Legend

- Municipal Boundary
- Streams/Ponds
- Parcels

Zoning Districts

- (AG) AGRICULTURAL
- (R-1) LOW DENSITY RESIDENTIAL
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N W E S

0 0.25 0.5 0.75 1 Miles

1 inch = 0.25 miles
1 inch = 1,320 feet

DATE: 5/16/16

Note: The written scale is based on the full size version of this map (36" x 48") and is not applicable for reduced copies.

East Lampeter Township Zoning Ordinance of 2016, as amended
Appendix B: Design Guidelines for the BH Zoning District

Section B-1: Background, Purpose and Objectives

A. Introduction

These design guidelines in combination with the provisions established by the East Lampeter Township Zoning Ordinance are intended to provide designers, developers, and property owners an understanding of the design expectations for the Bird-In-Hand (BH) Zoning District.

The Village of Bird-in-Hand has a long history and an established character. It is the intent of East Lampeter Township to honor the history and established character of the village while allowing new development and redevelopment that conforms in character and form.

Some uses within the village may be considered urban while others are truly rural in nature which draws a great interest from the many tourists that visit the area. Bird-in-Hand should be further developed with the intent to retain the village character offering a mix of urban and rural uses to meet the needs of those visiting and those that live within close proximity.

The guidelines contained within Appendix B of this Zoning Ordinance should be used by anyone proposing or considering a project in the BH Zoning District. It is reasonable to note that each development or redevelopment proposal is unique thus the degree to which each guideline must be met may vary.

B. Purpose and Objectives

1. To establish standards to be referenced as the "Design Guidelines for the BH Zoning District", which reflect the community vision established for the Village of Bird-In-Hand.

2. To preserve and enhance the aesthetics, architectural appearance, commercial centers, and streetscape design within defined areas within the BH Zoning District.

3. To require uniform streetscape improvements and site enhancement measures such as street trees, streetlights, curbing, sidewalks, pedestrian crosswalks, architecture, controlled signage, traffic calming measures and gateway planning in accordance with these design guidelines.

4. To improve the modes of transportation by enabling automobile, horse, pedestrian and bicycle traffic to coexist in a harmonious community.

5. To retain the village character in order to promote tourism opportunities and maintain a sound tax base.

6. To encourage revitalization and adaptive reuse opportunities.

7. To provide incentive-minded parameters to attract desirable uses.

8. To implement the recommendations contained in the Comprehensive Plan.

Section B-2: Application

A. All applications for subdivision, land development or site improvements within the BH Zoning District shall apply these design guidelines to the property being subdivided or developed.

B. Any significant deviations or modifications to the design guidelines may be permitted by the Board of Supervisors as part of a conditional use application.

Picture B- 1

Picture B- 2

Picture B- 3

Picture B- 4

Section B-3: Design Guidelines

A. Permitted Land Uses and Building Placement

1. All principal and accessory uses shall comply with the provisions established for the BH Zoning District.

2. The standards for lot area, building setbacks and placement shall comply with the provisions established for the BH Zoning District.

3. The uses shall be integrated considering the adjacent land uses, architectural features and streetscape improvements within the BH Zoning District.

4. Alternative building setback and orientation requirements may be considered, provided that the applicant can demonstrate the following: that the design of the building meets the objectives of the BH Zoning District; that any reduction of the building setback requirements has been approved by the adjoining land owners; and that the design shall not disrupt any common facilities or utilities.

5. Pictures B-4, B-5, B-6, B-7, B-8, B-9, B-11, B-12, B-17, B-23, B-31, B-38 and B-44 of these design guidelines attempt to provide a visual depiction of desirable land uses and building placement.

B. Building Architecture and Appearance

1. Buildings and structures shall be designed to enhance the existing architectural and streetscape characteristics.

2. Buildings, structures, landscaping and streetscape improvements shall be designed in an effort to integrate, reflect and/or enhance the visual, historic and cultural character of the BH Zoning District.

3. Architectural elements such as dormers, cupolas, chimneys, porches, decks, awnings, bays, colonnades, brackets, stoops, benches, gazebos, enclosures, garages, sheds, carports, canopies, and other such design elements shall be specific to the building style and consistent with the design theme and architectural style.

4. The color, brightness and appearance of the exterior walls of the principal buildings and accessory structures shall be compatible with the design theme and architectural style. The selected color shall have a low reflectance level and the trim colors shall complement the color of the exterior walls.

5. Long, monotonous facades shall be avoided and new building should be constructed to a pedestrian scale that is consistent with existing buildings.

6. The shape of an opening, its proportion relative to the size of the building, how it functions, how it is divided, and the rhythm of openings within a structure must be specific to the building style and consistent with the design theme and architectural style.

7. All sides of a building should be architecturally compatible with the front facade and facades visible from the street or adjacent properties should have the same architectural features and style as the front facade. Modifications may be made to the facade in order to accommodate the design guidelines.

8. Historic elements and features of existing buildings should be restored, preserved and maintained. New construction, additions or alterations of an existing building shall be reviewed and considered as part of the land development plan application.

9. Pictures B-4, B-5, B-6, B-7, B-8 B-9, B-11, B-12, B-17, B-23, B-24, B-31,

Picture B- 5

Picture B- 6

Picture B- 7

Picture B- 8

B-42 and B-44 of these design guidelines attempt to provide a visual depiction of desirable building architecture and appearance.

C. Building Façade, Windows, Roofs and Awnings

1. The front facade of the building shall be orientated towards the street with the highest functional classification in terms of vehicular traffic volumes.

2. Buildings should exhibit façade detailing that mimics the historic structures within Lancaster County.

3. When buildings are to be located on a corner of intersecting streets, the entrance of the building shall be located on the corner with an enhance element or feature, which is consistent with the design theme and architectural style.

4. The street-side facade of buildings shall be designed with decorative windows, which is consistent with the design theme and architectural style. Promotional advertisements, signs and/or any messages contained on the windows shall be limited to an area of ten (10) percent of the cumulative area of the first floor windows along the street-side facade.

5. Buildings should include a variety of architectural design features such as recesses, openings, windows, details and/or variable materials in order to avoid creating massive or monotonous building facades.

6. Buildings should be designed with at least three (3) different building aspects and architectural features, which may include: concrete or masonry plinth at the base of the walls; belt courses of different texture or color; projecting or decorative cornices; quoins; decorative tile work; trellis containing seasonal plantings; medallions; opaque or translucent glass; bay windows, artwork; vertical articulation; stylized lighting fixtures; porticos; building extensions; stonework; and/or other similar acceptable architectural elements.

7. All exterior building facades should utilize natural building materials such as brick, stone, wood and masonry products. The use of concrete block or poured concrete wall shall be discouraged.

8. A variety of roof styles exists within the BH Zoning District today and should be considered as models for any new development or redevelopment projects. Gable, Hip, Shed, or Mansard roof styles should be covered with slate, ceramic, composite tiles, colored metal, or any other reasonable fire resistant material. The use of vegetative roofs should be considered.

9. Awnings may be incorporated into the building design. Awnings shall not extend into any street right-of-way and shall be at least eight (8) feet above any public sidewalk. Awnings shall not extend more than six (6) feet beyond the building façade to which they are attached.

10. Historic palates and natural tones should be considered. No more than two principal colors, except accents, should be considered for a façade.

11. Franchise architectural features, facades and signs should be discouraged. Retail or restaurants uses occupied by franchises shall employ the design guidelines of the BH Zoning District.

12. Pictures B-4, B-5, B-6, B-7, B-8, B-9, B-10, B-11, B-12, B-17, B-20, B-23, B-24, B-31, B-36, B-38, B-42 and B-44 of these design guidelines attempt to provide a visual depiction of desirable building facade, windows, roofs and awnings.

D. Streetscape Design

1. Special attention to the gateways and main entrance(s) to the BH Zoning

Picture B- 9

Picture B- 10

Picture B- 11

Picture B- 12

District. The use of streetscape improvements, low-impact lighting, banners, gateway or welcome signs, water features and/or landscaping enhancements shall be provided and considered as a prominent feature for all permitted uses.

2. Provisions for street furniture, including public benches, tables, clocks and waste receptacles shall be considered as part of the land development plan. All such street furniture shall be privately owned and maintained.

3. Provisions for public transportation facilities, including bus stops, bus shelters, taxi stands, park and ride facilities, and other similar features shall be considered as part of the land development plan. Coordination with Red Rose Transit Authority and other local transportation providers.

4. Unless otherwise permitted for safety or security purposes, all proposed fencing within the front yard shall not exceed thirty-six (36) inches in height. Chain-link fence shall be prohibited within the front yard. All other fencing shall comply with the requirements of the Zoning Ordinance.

5. Exterior walls shall be built and maintained to provide containment of courtyards, plazas or other civic spaces. No wall shall obstruct the required safe sight distance at a street intersection.

6. Retaining walls may be permitted provided that durable materials are utilized and the height is compatible to the architectural features of the neighborhood. The exterior (visible) face of retaining walls shall be designed to be coordinated with the exterior building materials.

7. Benches or seating areas may be incorporated along the exterior of the building to provide resting opportunities and to complement pedestrian access within the BH Zoning District. All such streetscape features should be properly anchored for security and stability.

8. Unless otherwise required by PennDOT, the use of guiderails shall not be permitted within the BH Zoning District. In lieu of guiderail, wooden or metal bollards may be utilized as part of the streetscape design. Bollards shall be at a height of thirty (30) to forty-eight (48) inches above grade, with a minimum diameter or edge of eight (8) inches. The bollards shall be buried or anchored as per the specifications of the manufacturer.

9. Pictures B-1, B-2, B-3, B-6, B-7, B-10, B-12, B-13, B-14, B-15, B-16, B-17, B-18, B-22, B-28, B-30, B-33, B-34, B-35, B-37, B-38, B-39 and B-43 of these design guidelines attempt to provide a visual depiction of desirable streetscape design.

E. Pedestrian and Vehicular Circulation

1. New curb cuts shall be minimized in order to reduce traffic conflicts and vehicular congestion. Where appropriate, shared or common access drives shall be utilized to minimize curb cuts. Shared or common access drives shall be designed to have a definitive point of ingress and egress with sufficient area to accommodate the permitted turning movements.

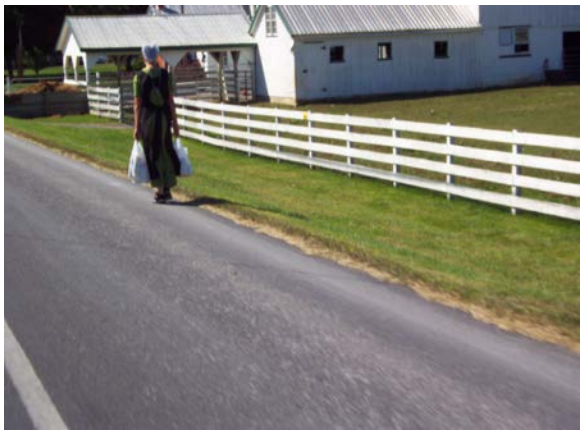
2. Traffic calming measures, including speed control, volume control, road alignments and traffic management techniques shall be considered as part of the land development plan application in order to improve safety, pedestrian accessibility and vehicular mobility.

3. All permitted uses shall be designed to encourage and provide for safe and convenient modes for pedestrians and non-motorized vehicles to destination points within the BH Zoning District.

4. The location of buildings shall be appropriately orientated to encourage pedestrian and non-motorized vehicular access.

Picture B- 13

Picture B- 14



Picture B- 15

Picture B- 16

5. Outdoor dining establishments and/or other uses designated for outdoor activities may be permitted provided that the use or activities do not interfere with vehicular or pedestrian traffic patterns.

6. Pictures B-2, B-7, B-12, B-13, B-14, B-15, B-16, B-17, B-18, B-22, B-23, B-33, B-34, B-37, B-38, B-39, B-40 and B-43 of these design guidelines attempt to provide a visual depiction of desirable design for pedestrian and vehicular circulation.

F. Driveways, Parking and Loading Areas

1. Common driveways or access points may be permitted in order to reduce curb cuts along public roads provided that the landowners establish a site access and maintenance agreement.

2. The total number of off-street parking and loading spaces for each use shall comply with the minimum requirements specified under this Zoning Ordinance, but shall not exceed one hundred-ten (110) percent of the minimum requirements.

3. The areas designated for off-street parking and loading shall not be a dominant design feature of the building or streetscape. The proposed off-street parking spaces and loading spaces for all uses shall be located at least thirty (30) feet from the street right-of-way line and along the sides or rear of the principal building. Whenever the proposed off-street parking spaces and loading spaces interfere with the location of the required sidewalk system, such off-street parking and loading spaces shall be relocated.

4. Common or shared parking areas shall be encouraged. The total number of off-street parking and loading spaces for each use may be reduced up to thirty (30) percent of the minimum requirements specified under the Zoning Ordinance, provided that the applicant demonstrates that common or shared off-street parking and loading spaces shall be capable of accommodating the peak demands for employees and patrons. In all such cases, the applicant shall provide documentation to support that the use can function with the reduced number of off-street parking and loading spaces.

5. Public or group modes of transportation are encouraged. The total number of off-street parking and loading spaces for each use may be reduced up to twenty (20) percent of the minimum requirements specified under the Zoning Ordinance, provided that the applicant demonstrates that the employees and/or patrons will utilize public or group modes of transportation, which are not related to the use of individual automobiles. In all such cases, the applicant shall provide documentation to support that the use can function with the reduced off-street parking and loading space.

6. Off-premises parking at other facilities within one thousand (1,000) feet of the principal use may be permitted in order to satisfy the requirements for off-street parking spaces, provided that the applicant secures an agreement with the landowner of the property, which will accommodate the additional demands for off-street parking. All proposed off-premises parking areas shall consider safety, accessibility and convenience for the pedestrians traveling between the points of destination within the BH Zoning District.

7. The provisions involving the reduction of off-street parking and loading facilities shall be subject to the review of the Board of Supervisors. The applicant shall demonstrate that the proposed use and site conditions shall satisfy the peak demands for the employees and patrons. The maximum reduction of off-street parking and loading spaces shall not exceed fifty (50) percent of the requirements specified by the Zoning Ordinance.

8. Handicap or disability spaces shall be designed and constructed in accordance with all federal, state and local codes.

Picture B- 17

Picture B- 18

Picture B- 19

Picture B- 20

9. Loading areas for buildings shall not face existing or planned public amenities such as historic buildings, parks, open space, water features, or public rights-of-way unless visually screened or architecturally articulated.

10. Porous paving shall be considered for the proposed off-street parking and loading spaces provided that: the design and paving composition complies with the provisions for stormwater management; that the soils and geological features have suitable characteristics for infiltration; that a maintenance program has been established with sufficient funds held in an escrow account; and that the structural integrity has not been compromised.

11. The use of curbing, bollards, segmental concrete wall blocks, landscaping blocks, concrete retaining walls and other durable materials shall be considered along the perimeter of the off-street parking and loading areas to protect trees, open space, surface water or other natural areas. Protective measures and/or a defined separation barrier shall be considered for pedestrian movements along sidewalks.

12. Bicycle racks and stands shall be located in a designated area along the sides or rear of the principal building and shall not interfere with pedestrian or vehicular movements. All such features should be properly anchored for security and stability.

13. Pictures B-8, B-9, B-10, B-17, B-19, B-20, B-21, B-33, B-41 and B-43 of these design guidelines attempt to provide a visual depiction of desirable driveways, parking and loading areas.

G. Curbs, Sidewalks and Crosswalks

1. Curbs and sidewalks shall be designed and installed as an integrated network along public and private roads within the BH Zoning District in order to accommodate pedestrian movements.

2. Unless otherwise permitted, curbs and sidewalks shall be placed along public and private roads.

3. All proposed sidewalks shall be a minimum of four (4) feet in width. Decorative brick, concrete pavers or pavement treatments shall be considered as an integrated feature to the main entrance of the building, pedestrian access areas and public roads.

4. Protective measures and/or defined separation barriers shall be considered for pedestrian movements along sidewalks.

5. Raised crosswalks shall integrate the sidewalk system and to accommodate pedestrian movements. Crosswalks shall be at least six (6) feet in width and provide for safe movements, which are controlled by traffic signal. Decorative pavement treatments shall be considered to implement the community vision of the BH Zoning District.

6. Curbs, sidewalks, handicapped ramps and crosswalks shall be designed and constructed in accordance with the provisions established by East Lampeter Township and the Commonwealth of Pennsylvania.

7. Pictures B-3, B-5, B-6, B-7 B-12, B-13, B-14, B-15, B-16, B-17, B-22, B-23, B-35, B-37, B-39 and B-43 of these design guidelines attempt to provide a visual depiction of desirable curbs, sidewalks and crosswalks.

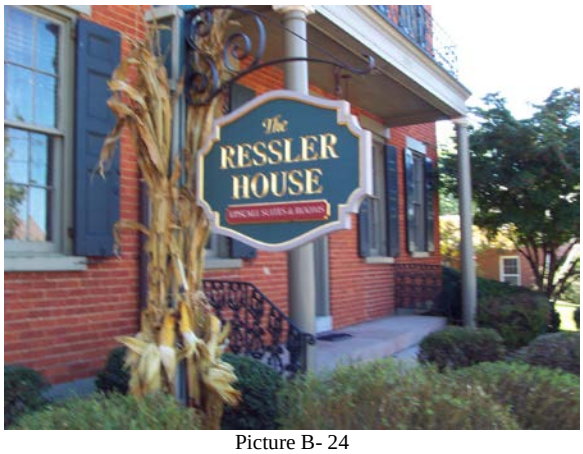
H. Signs and Banners

1. All permitted signs shall comply with these design guidelines and the provisions of the Zoning Ordinance. The total number and size of all signs within the BH Zoning District shall be limited to avoid clutter and to serve the basic needs of the use.

Picture B- 21

Picture B- 22

Picture B- 23



Picture B- 24

2. All permitted signs shall be professionally made and constructed out of durable material such as wood, metal or stone. The design, material, color, size, location and illumination of the sign shall be selected considering the architecture of the buildings and streetscape characteristics.

3. Signs shall be designed to achieve a high level of visual compatibility with the building and its surroundings through the use of similar detailing, form, color, lighting, and materials. The shape of the sign shall complement the architectural features on the building. Simple geometric shapes are preferred for all signage. All new signs shall achieve a level of visual compatibility with existing signs that comply with these guidelines. Signs shall be mounted in locations that do not block motorists'.

4. Buildings occupying two (2) or more uses or tenants shall utilize a single sign or compatible signs in terms of design, material, color, height, location and illumination.

5. A pole-mounted dual vertical banner system (vertical pole with banner) may be established and installed within the BH Zoning District. Banners may be installed on either architectural street light standards or parking lot area lights. Any banner installed within a public street right-of-way shall obtain approval from East Lampeter Township and PennDOT.

6. The design, graphics and colors for all banners shall be subject to the approval of East Lampeter Township.

7. Large free-standing signs, off-site advertising signs and/or billboards shall be prohibited within the BH Zoning District.

8. Pictures B-1, B-3, B-5, B-10, B-12, B-14, B-16, B-24, B-25, B-26, B-27, B-30, B-40 and B-42 of these design guidelines attempt to provide a visual depiction of desirable signs and banners.

I. Landscaping and Lighting

1. Street trees and other aesthetic landscaping improvements shall be incorporated into the streetscape design of the development in order to implement the requirements of the BH Zoning District.

2. Unless otherwise directed by PennDOT or East Lampeter Township, all proposed street trees shall not be located within the legal right-of-way line or within the designated clear sight triangle involving a street intersection or access drive.

3. All developments shall include trees, buffer yards and landscaping features that shall be integrated as part of overall site improvements in order to mitigate noise, light, odor and the visual appearance of paved surfaces. The use of existing mature trees, berms, segmental concrete wall blocks, landscaping blocks, retaining walls and other durable materials may be considered and utilized as part of the landscaping improvements. The design of the landscaping improvements shall be subject to the approval of the Board of Supervisors.

4. Street trees, landscaping materials and buffer yards shall be integrated as part of the design of the buildings and site improvements, which shall be located in a manner to mitigate visual, noise and traffic impacts.

5. The selected street trees, landscaping materials and buffer yards shall comply with the minimum requirements specified by East Lampeter Township. The size, type, caliper, spacing and location of the street trees shall be considered by the Board of Supervisors. Where compliance can not be achieved, or if a reduction or modification to the provisions is to be considered, the applicant shall be required to pay a fee-in-lieu of the specified provisions.

Picture B- 25

Picture B- 26

Picture B- 27

Picture B- 28

6. The required streetlights shall comply with the minimum requirements specified by East Lampeter Township. As part of the land development plan application, the size, type, spacing and location of the street lights shall be considered by the Board of Supervisors. Where compliance can not be achieved, or if a reduction or modification to the provisions is to be considered, the applicant shall be required to consider other streetscape enhancements or improvements.

7. Decorative streetlights shall be considered and strategically located at consistent intervals. Any existing streetlights, which interfere with the location of the required sidewalk network shall be relocated. The size, type and location of the streetlights shall be subject to the approval of East Lampeter Township.

8. All decorative streetlights and other sources of illumination shall be designed with a diffused light source in order to prevent glare or excess lighting produced within a visual field that is significantly greater than the light to which the human eye can readily adapt to without causing annoyance, discomfort or loss of visibility for any period of time.

9. No bare or direct light source shall be visible beyond the lot lines. The illumination from any light source originating on the site shall not exceed 0.5 foot candles at the lot line. Overhead light pollution or spillage caused by unshielded light sources shall not be permitted.

10. All streetlights and other sources of exterior illumination shall be designed as a full cutoff fixture, whereas, the light distribution pattern from the source results in no illumination projected at or above the horizontal plane at the bottom the light source or fixture.

11. Exterior or interior lighting shall not be utilized as a promotional devise to attract patrons or to serve as additional signage.

12. No up-lighting lighting from extended roof lines, awnings and/or building facades shall be permitted. Where appropriate, the use of down-lighting may be incorporated into the exterior design.

13. All off-street parking and loading areas shall be adequately illuminated with a lighting system designed to compliment the architecture of the buildings and streetscape characteristics.

14. Exterior lighting fixtures and poles within parking areas shall be decorative, complementary and consistent with the architecture of the project and village. Parking lot lighting shall be required and positioned or hooded so that direct beam of lights does not project onto rights-of-way or adjoining properties, except where parking and access is shared.

15. Lighting fixtures attached to a free-standing pole or mounted to a building shall not exceed a height of fifteen (15) feet, as measured from the average ground elevation within thirty (30) feet of the lighting fixture.

16. Pictures B-3, B-4, B-6, B-14, B-16, B-17, B-21, B-22, B-23, B-28, B-29, B-30, B-31, B-32, B-35, B-37, B-40 and B-43 of these design guidelines attempt to provide a visual depiction of desirable landscaping and lighting features.

J. Utilities

1. Unless otherwise directed by the utility company providing service, all proposed utilities shall be installed underground and within a utility easement or right-of-way.

2. The location of small substations, transformers, switching stations and/or panel boxes shall be designed to be preferable in service areas and to the rear of buildings.

Picture B- 29

Picture B- 30

Picture B- 31

Picture B- 32

3. All small substations, transformers, switching stations or other panel boxes shall be screened with landscaping and/or wooden fencing or placed within a building.

4. Rooflines shall be pitched and not appear flat when viewed from public streets or adjoining properties. All roof-mounted equipment including HVAC, electrical, venting or other mechanical equipment shall be contained or concealed as part of the architectural design.

5. Green stormwater management facilities shall be integrated as part of the building and landscaping design, which may include: rain gardens; riparian buffers; bio-retention facilities; green or blue roof design; infiltration beds; pervious paving; soil restoration; and regional stormwater facilities.

6. Pictures B-7, B-10, B-13, B-18, B-23, B-29, B-32, B-33 and B-34 of these design guidelines attempt to provide a visual depiction of desirable utility features.

K. Outdoor Storage and Refuse Disposal

1. The storage and sale of all materials or merchandise shall be within the principal building of the property. Sidewalk sales may be permitted provided that the display or retail sales area is not located within the street right-of-way.

2. All dumpsters shall be located in the side or rear yard of the property and shall be contained within a secured area that is compatible with the architectural style of the building. All such areas shall be screened with secured fencing and landscaping materials. All containers shall be vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste.

3. Vending or self-service machines shall not be located along the front facade of the building or street to which the principal building has frontage. All proposed vending or self-service machines shall be located inside the building or outside the rear of the building in close proximity to the off-street parking area.

4. Pictures B-3, B-6, B-9, B-11, B-14, B-22, B-23, B-35, B-42 and B-43 of these design guidelines attempt to provide a visual depiction of desirable outdoor storage and refuse disposal facilities.

L. Optional Design Standards or Features

1. The design guidelines and site development improvements specified for the BH Zoning District are intended to provide general direction to all applicants seeking to subdivide, improve, develop and/or redevelop land within the BH Zoning District.

2. The Board of Supervisors may consider optional design and site improvements if the standard requirements are determined to be unwarranted or inappropriate based upon the existing site conditions. If approved, the optional design and site requirements shall be considered as part of the subdivision and/or land development plan.

3. Appendix B of the Zoning Ordinance contains several pictures in order to provide a visual depiction of desirable features that are currently found with the BH Zoning District.

Picture B- 33

Picture B- 34

Picture B- 35

Picture B- 36

Picture B- 37

Picture B- 38

Picture B- 39

Picture B- 40

Picture B- 41

Picture B- 42

Picture B- 43

Picture B- 44