

TOWNSHIP OF EAST LAMPETER
LANCASTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 2025 - 379

AN ORDINANCE OF THE TOWNSHIP OF EAST LAMPETER,
LANCASTER COUNTY, PENNSYLVANIA, TO AMEND THE
EAST LAMPETER TOWNSHIP CODE OF ORDINANCES,
CHAPTER 368, SUBDIVISION AND LAND DEVELOPMENT, TO
ESTABLISH THE AMOUNT OF LAND REQUIRED TO BE
DEDICATED FOR PARKS AND OPEN SPACE AND A METHOD
TO CALCULATE ANY FEE IN LIEU OF DEDICATION.

WHEREAS, East Lampeter Township has conducted a public hearing to consider amendments to the East Lampeter Township Code of Ordinances, Chapter 368, Subdivision and Land Development; and

WHEREAS, prior to the public hearing, the proposed amendments were provided to the East Lampeter Township Planning Commission and to the Lancaster County Planning Department for comments as provided by law; and

WHEREAS, after a public hearing and after consideration of all information, comments and questions, members of the Board of Supervisors of East Lampeter Township have deemed it beneficial to the residents of East Lampeter Township and to the promotion of the health, safety, morals, convenience, order and welfare of present and future inhabitants of East Lampeter Township to amend the Subdivision and Land Development Ordinance as hereinafter set forth.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Supervisors of East Lampeter Township as follows:

Section 1: The East Lampeter Township Code of Ordinances, Chapter 368, Subdivision and Land Development, Article 5, §368-515.B.2, Park, open space and greenway provision, Mandatory dedication of land, is deleted in its entirety and marked as Reserved for future code provisions.

Section 2: The East Lampeter Township Code of Ordinances, Chapter 368, Subdivision and Land Development, Article 5, §368-515.D, Park, open space and greenway provision, Total or partial fee-in-lieu of dedication, is deleted in its entirety and replaced with the following provisions:

D. Total or partial fee in lieu of dedication.

(1) Any of the alternatives in §368-515.C must be at least equal to the fair market value of the land that would otherwise be dedicated in accordance with §368-515.B.(1) above.

(2) The fair market value of the land is defined as the price per acre established annually by the Township governing body based upon the average per acre value of all land in the Township according to the Lancaster County Tax Assessment Office, excluding all tax-exempt parcels and all parcels in the Township's Agriculture Zoning District), modified by the common level ratio.

(3) The amount of any fee to be paid in lieu of dedication of land shall be calculated by multiplying (a) the number of acres required to be dedicated for park and open space purposes calculated in accordance with §368-515.B.(1) with (b) the fair market value of land as defined in §368-515.D.(2).

(4) Where a developer proposes to provide active parkland and/or recreation space as part of the proposed development, those areas shall be credited against the total amount of parkland and open space area required to be dedicated. Credit shall be provided without consideration as to whether or not the parkland and/or recreation space will be available to the general public to the same extent it is available to residents of the development.

(5) To the extent a developer provides active parkland space and/or recreation space within the development which will be openly available to the general public to the same extent it will be available to residents of the development, then the estimated construction costs (reviewed and approved by the Township engineer) associated with recreational improvements within the parkland shall be credited against the amount of the fee in lieu of dedication to be paid by the developer.

(6) To the extent the development involves redevelopment of a property, a fee in lieu of dedication shall not be assessed against those portions of an existing nonresidential development which will remain nonresidential. However, in the event the area of new nonresidential development is larger than the area of the existing nonresidential development, a fee in lieu shall be assessed against that portion of the newly developed area.

(7) To the extent the proposed development or redevelopment involves residential units which exceed 85% of the density permitted in the zoning district in which the proposed development or redevelopment is located, the Township's governing body may, in its sole discretion, approve a reduction in the fee to be paid in lieu of dedication. Any request for a reduction in the fee in lieu shall include details on the developer's efforts to provide affordable housing within the development.

(8) As an alternative to payment of a fee in lieu, the developer may offer an alternative project which permits the developer to (a) acquire land for dedication to the Township for park and recreation purposes, (b) procure certain park and recreation materials and/or equipment for the Township, or (c) construct park and recreation facilities in an existing Township park. The offer of an alternative project must be reviewed and approved by the Township's governing body, be fully described and documented in a developer's agreement with the Township, adequate security for the completion of the alternative project must be posted with the Township, and the alternative project must be completed within two years of the date the land development plan is recorded.

Section 3: All other provisions of the East Lampeter Township Code of Ordinances not amended or changed shall remain in full force and effect.

Section 4: In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of the Board of Supervisors that the remainder of the Ordinance shall be and shall remain in full force and effect.

Section 5: This Ordinance shall take effect and be in force five (5) days after its enactment as provided by law.

DULY ORDAINED AND ENACTED this 4th day of August, 2025, by the Board of Supervisors of East Lampeter Township, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF EAST LAMPETER
Lancaster County, Pennsylvania

ATTEST: Jana A Hitchens BY: _____
(Assistant) Secretary (Vice) Chairman
Board of Supervisors

[SEAL]

I, Tara A. Hitchens, Secretary of the Board of Supervisors of East Lampeter Township, Lancaster County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted at a legally constituted meeting of the Board of Supervisors of East Lampeter Township held on August 4, 2025, at which meeting a quorum was present and voted in favor thereof.


Tara A. Hitchens, Secretary