

ARTICLE 4 SPECIFIC CRITERIA

SECTION 400 SPECIFIC STANDARDS FOR SPECIAL EXCEPTION AND CONDITIONAL USES

In addition to the general criteria listed in Sections 604.3. and 704, the following sets forth standards that shall be applied to each individual special exception or conditional use. These standards must be satisfied prior to approval of any application for a special exception or conditional use. The applicant shall be required to demonstrate compliance with these standards and must furnish whatever evidence is necessary to demonstrate such compliance. All uses must comply with the standards expressed within the underlying zone, unless those standards expressed for each special exception or conditional use specify different standards; in such cases, the specific special exception or conditional use standards shall apply. Although uses are listed in a particular zone, a special exception, conditional use, or a variance granted in any zone must comply with these specific criteria and any existing nonconforming use must also comply with them if the use is modified or upgraded.

For the purposes of this Article 4, any required setbacks imposed upon special exceptions or conditional uses shall be measured from the boundary line of the site for which the special exception or conditional use is requested, regardless of whether or not this line corresponds to a property line or a lease line.

SECTION 401 ADULT - RELATED FACILITIES

- 401.1. Within the (HC) Zone, adult-related facilities are permitted by conditional use, subject to the following criteria:
- 401.2. An adult-related facility shall not be permitted to be located within one thousand (1,000) feet of any other adult-related facility;
- 401.3. No adult-related facility shall be located within six hundred (600) feet of any residentially-zoned land;
- 401.4. No adult-related facility shall be located within six hundred (600) feet of any parcel of land which contains any one or more of the following specified land uses:
 - 1. Amusement park;
 - 2. Camp (for minors' activity);
 - 3. Child care facility;
 - 4. Church or other similar religious facility;
 - 5. Community center;
 - 6. Museum;
 - 7. Park;

8. Playground;
 9. School; or
 10. Other lands where minors congregate.
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- 401.5. The distance between any two adult-related facilities shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior parcel line of each establishment. The distance between any adult-related facility and any land use specified above shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior property line of the adult-related facility to the closest point on the property line of said land use;
 - 401.6. 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;
 - 401.7. Any building or structure used and occupied as an adult-related facility shall be windowless, or have an opaque covering over all windows or doors of any area in which materials, merchandise, or film are exhibited or displayed, and no sale materials, merchandise, or film shall be visible from outside of the building or structure;
 - 401.8. No sign shall be erected upon the premises pictorially depicting or giving a visual representation of the type of materials, merchandise or film offered therein;
 - 401.9. Each entrance to the premises shall be posted with a notice specifying that persons under the age of seventeen (17) years are not permitted to enter therein and warning all other persons that they may be offended upon entry;
 - 401.10. No adult-related facility may change to another adult-related facility, except upon approval of an additional conditional use;
 - 401.11. The adult-related facility shall not create an enticement for minors because of its proximity to nearby uses where minors may congregate;
 - 401.12. No unlawful sexual activity or conduct shall be permitted; and,
 - 401.13. No more than one adult-related facility may be located within one building or shopping center.

SECTION 402 AMUSEMENT ARCADES

- 402.1. Within the (HC) Zone, amusement arcades are permitted by special exception, subject to the following criteria:
- 402.2. All activities shall take place within a completely enclosed building;

- 402.3. The applicant must furnish evidence as to how the use will be controlled so as to not constitute a nuisance due to noise or loitering outside the arcade;
- 402.4. A minimum of one parking space for each eighty (80) square feet of gross leasable floor area shall be provided. In addition, any accessory uses (e.g., snack bar) shall also require parking to be provided in accordance with the schedule listed in Section 311.3.2.H. of this Ordinance; and,
- 402.5. A working plan for the cleanup of litter shall be furnished and implemented by the applicant.

SECTION 403 AUTOMOBILE FILLING STATIONS (INCLUDING MINOR INCIDENTAL REPAIR)

- 403.1. Within the (HC) Zone, automobile filling stations (including minor incidental repair) are permitted by special exception, subject to the following criteria:
- 403.2. The subject property shall have a minimum width of one hundred twenty-five (125) feet;
- 403.3. The subject property shall front on an arterial or collector road;
- 403.4. The subject property shall be set back at least three hundred (300) feet from any lot containing a school, day-care facility, playground, park, library, hospital or nursing, rest or retirement home;
- 403.5. The outdoor storage of motor vehicles (whether capable of movement or not) for more than one (1) month is prohibited;
- 403.6. All structures (including gasoline pump islands, but not permitted signs) shall be set back at least thirty (30) feet from any street right-of-way line;
- 403.7. No outdoor storage of auto parts shall be permitted;
- 403.8. Access driveways shall be a minimum of thirty (30) feet wide and separated by seventy-five (75) feet from one another if located along the same frontage as measured from edge to edge;
- 403.9. All ventilation equipment associated with fuel storage tanks shall be set back one hundred (100) feet and oriented away from any adjoining residentially-zoned properties;
- 403.10. The applicant shall furnish evidence that the disposal of materials and disposal of wastes is in compliance with Section 325 of this Ordinance, and will be accomplished in a manner that complies with State and Federal regulations; and,
- 403.11. The applicant shall furnish evidence that the siting of underground fuel storage tanks is in compliance with State and Federal regulations.

**SECTION 404 AUTOMOBILE PARTS STORES, WHERE
INSTALLATION OF PARTS IS ALLOWED,
AUTOMOBILE SERVICE AND REPAIR
FACILITIES, INCLUDING, BUT NOT LIMITED TO,
AUTO MECHANICS, DRIVE-THRU LUBRICATION
SERVICES, AND TIRE, AUTO, PAINT, BRAKE,
MUFFLER, TRANSMISSION, WINDSHIELD, AUTO
BODY, CAR RADIO, AND UPHOLSTERY SHOPS**

- 404.1. Within the (HC) Zone, automobile parts stores, where installation of parts is allowed, automobile service and repair facilities, including, but not limited to, auto mechanics, drive-thru lubrication services, and tire, auto, paint, brake, muffler, transmission, windshield, auto body, car radio, and upholstery shops are permitted by special exception, subject to the following:
- 404.2. All uses involving drive-thru service shall provide sufficient on-site stacking lanes to prevent vehicle back-ups on adjoining roads;
- 404.3. No outdoor storage of parts, equipment, lubricants, fuel or other materials used or discarded, as part of the service or repair operation, shall be permitted;
- 404.4. All exterior vehicle storage areas shall be screened from adjoining residentially-zoned properties and roads;
- 404.5. The storage of unlicensed vehicles is prohibited;
- 404.6. Any ventilation equipment outlets associated with the service/repair work area(s) shall not be directly towards any adjoining residentially-zoned property;
- 404.7. All vehicles shall be repaired and removed from the premises promptly;
- 404.8. The demolition or junking of vehicles is prohibited; and
- 404.9. The applicant shall furnish evidence that the disposal of materials and wastes will be accomplished in a manner that complies with all applicable regulations.

SECTION 405 RESERVED

SECTION 406 BILLBOARDS

- 406.1. Within the (I) Zone, billboards are permitted by conditional use, subject to the following criteria:
- 406.2. No billboard shall be located within one thousand (1,000) feet of another billboard;

- 406.3. All billboards shall be a minimum of fifty (50) feet from all property lines;
- 406.4. All billboards shall be set back at least one thousand (1000) feet from any land within a residential zone;
- 406.5. No billboard shall obstruct the view of motorists on adjoining roads, or the view of adjoining commercial or industrial uses, which depend upon visibility for identification;
- 406.6. No billboard shall exceed an overall size of three hundred (300) square feet, nor exceed twenty-five (25) feet in height; and,
- 406.7. All properties upon which a billboard is erected shall be regularly maintained so as not to create a nuisance by means of weeds, litter or vector habitation.

SECTION 407 BOARDING HOUSES

407.1. Within the (R-2) Zone, boarding houses are permitted by special exception, subject to the following criteria (Rev. 11/2011):

407.2. The following minimum lot area requirements shall be provided:

Minimum Required Lot Size	plus	Additional Lot Area Per Boarder (up to 10 boarders)
10,000 sq. ft.	plus	500 sq. ft.

SECTION 408 CAMPGROUNDS

408.1. Within the (A) Zone, campgrounds are permitted by conditional use on a minimum of ten (10) acres, subject to the following criteria:

408.2. All campsites shall be located at least fifty (50) feet from any side or rear property line and at least one hundred (100) feet from any public street line;

408.3. Each campsite shall be at least one thousand five hundred (1,500) square feet in size and shall either provide parking space for one (1) automobile which will not interfere with the convenient and safe movement of traffic, or equivalent parking shall be provided in a common parking area;

408.4. An internal road system shall be provided. The pavement width of one-way access drives shall be at least fourteen (14) feet and the pavement width of two-way access drives shall be at least twenty-four (24) feet. On-drive parallel parking shall not be permitted;

408.5. All outdoor play areas shall be set back one hundred (100) feet from any property line and screened from adjoining residentially-zoned properties. Such outdoor play areas shall be used exclusively by registered guests and their visitors;

408.6. All campgrounds shall furnish centralized sanitary and garbage collection facilities that shall be set back a minimum of one hundred (100) feet from any property line. Such facilities shall be screened from adjoining residentially-zoned properties;

408.7. Any accessory retail or service commercial uses shall be set back a minimum of one hundred (100) feet from any property line. Such accessory commercial uses shall be solely designed and constructed to serve the campground's registered guests and their visitors. Any parking spaces provided for these commercial uses shall only have vehicular access from the campground's internal road rather than the public street. All accessory commercial uses and related parking shall be screened from adjoining residentially-zoned parcels;

- 408.8. All campgrounds containing more than one hundred (100) campsites shall have vehicular access to an arterial or collector street, and shall be located on lands that are not characterized by a majority of prime agricultural soils as defined herein;
- 408.9. A campground may construct one freestanding or attached sign containing no more than thirty-two (32) square feet. Any reference to accessory commercial or recreational facilities shall remain secondary in size to the reference of the principal campground use. Such sign shall be set back at least ten (10) feet from the street right-of-way line, at least one hundred (100) feet from any residential zone, and, at least twenty-five (25) feet from adjoining lot lines;
- 408.10. A minimum of thirty percent (30%) of the gross area of the campground shall be devoted to active and passive recreational facilities, which shall not be located within one hundred (100) feet of any property line. Responsibility for maintenance of the recreation area shall be with the landowner;
- 408.11. During operation every campground shall have an office in which shall be located the person responsible for operation of the campground;
- 408.12. All water facilities, sewage disposal systems, rest rooms, solid waste disposal and vector control shall be approved and maintained in accordance with the requirements of the PA DEP; and,
- 408.13. All lighting shall be arranged and shielded so that no glare or direct illumination shall be cast upon adjacent properties or public streets.

SECTION 409 CAR WASHES

- 409.1. Within the (HC) Zone, car washes are permitted by special exception, subject to the following criteria:
- 409.2. Public sewer and public water facilities shall be utilized and gray water recycling is encouraged;
- 409.3. Each washing bay shall provide a one hundred (100) foot long on-site stacking lane;
- 409.4. All structures housing washing apparatuses shall be set back one hundred (100) feet from any street right-of-way line, fifty (50) feet from any rear property line, and twenty-five (25) feet from any side lot line;
- 409.5. Trash receptacles shall be provided and routinely emptied to prevent the scattering of litter, and the applicant shall furnish and implement a working plan for the cleanup of litter and debris;
- 409.6. The subject property shall front on an arterial or collector road; and,

- 409.7. The applicant shall demonstrate adequate provision for the collection and disposal of greases and wastes.

SECTION 410 CHURCHES AND RELATED USES

- 410.1. Within the (RR, VR, R-1 and R-2) Zones, churches and related uses are permitted by special exception, subject to the following criteria (Rev. 11/2011):

410.2. **House of Worship**

1. Minimum lot area - One (1) acre;
2. Minimum lot width - Two-hundred (200) feet;
3. All houses of worship shall have vehicular access to an arterial or collector highway, as identified in Section 315;
4. Side yard setback - Fifty (50) feet on each side; and,
5. All off-street parking areas shall be set back at least twenty-five (25) feet from the street right-of-way line;

410.3. **Church Related Residences (Rectories and Convents)**

1. All residential uses shall be accessory and located upon the same lot, or directly adjacent to a lot containing a house of worship; and,
2. All residential uses shall be governed by the location, height, and bulk standards imposed upon other residences within the underlying zone;

410.4. **Church-Related Day-Care Facilities**

1. All day-care uses shall be accessory, and located upon the same lot as a house of worship;
2. If day-care is provided below the college level, except exclusively for Sunday school or vacation Bible school lasting less than two weeks per year, an outdoor play area shall be provided, at a rate of one hundred (100) square feet per individual enrolled. Off-street parking lots shall not be used as outdoor play areas. Outdoor play areas shall not be located within the front yard and must be set back twenty-five (25) feet from all property lines. Outdoor play areas shall be completely enclosed by a four (4) foot high fence, and screened from adjoining residentially-zoned properties. Any vegetative materials located within the outdoor play areas shall be of a non-harmful type (poisonous, thorny, allergenic, etc.). All outdoor play areas must provide a means of shade, such as a shade tree(s) or pavilion(s);

3. Enrollment shall be defined as the largest number of students and/or children under day-care supervision at any one time during a seven-day period;
4. Passenger “drop-off” areas shall be provided and arranged so that passengers do not have to cross traffic lanes on or adjacent to the site;
5. All educational or day-care uses shall be governed by the location, height, and bulk standards imposed upon principal uses within the underlying zone;
6. Unless the applicant can demonstrate that the off-street parking associated with the house of worship is sufficient for the proposed use, one (1) off-street parking space shall be provided for each six students enrolled below grade ten, and/or one (1) off-street parking space for each three students, grades ten and above; and,
7. The applicant shall furnish evidence that all licenses have been obtained; and,

410.5. **Cemeteries**

1. All burial plots or structures shall be located at least twenty (20) feet from any property line or street line;
2. Assurances must be provided that water supplies of surrounding properties will not be contaminated by burial activity within the proposed cemetery; and,
3. No burial plots or facilities are permitted in floodplain or flood fringe areas.

SECTION 411 CLUSTER DEVELOPMENTS

411.1. Within the (R-1 and R-2) Zone, cluster developments are permitted by conditional use, subject to the following standards (Rev. 11/2011):

411.2. **Purpose**

This conditional use is intended to blend various residential development types amid areas of the Township that are characterized by severe development constraint and/or natural sensitivity. It is the express purpose to offer a density bonus and flexible design standards as enabled in the Act for the preservation and protection of natural-cultural features and/or the provision of public accessible common open space;

411.3. The minimum lot area devoted to a cluster development shall be two (2) acres;

411.4. All proposed dwellings shall be connected to and served by both public sewer and public water utilities;

411.5. **Delineation of Required Common Open Space**

As part of the site planning process for the cluster development, the applicant shall be required to prepare a detailed natural and cultural features inventory of the site. Such features shall become all or part of the required common open space. Qualified experts must identify, describe and plot each of the following found on the proposed site:

- 100-year floodplains;
- steep slopes [greater than fifteen percent (15%)];
- wetlands, streams, ponds, or other water bodies;
- sinkholes, caves, vistas, or other significant geologic features;
- threatened or endangered species habitats;
- archaeological resources
- historic resources; and,
- significant stands of mature trees.

In addition, the applicant may include proposed parklands within required common open space if such parkland complies with the following:

1. The site shall be located and designed so that safe and convenient access shall be provided to all existing and proposed inhabitants. Additionally, each site shall have at least one (1) area available for vehicular access that is no less than twenty-four (24) feet in width;
2. The site shall be sized and configured so as to accommodate its intended uses. Sufficient lot width/depth dimension shall be provided so as to accommodate, where practicable, ball fields, courts and other open play areas. Furthermore, should a development be proposed at a location contiguous to an existing park, parklands should be provided, where practicable, as an expansion of the existing facility;
3. The site shall have suitable topography and soil conditions for use and development as active play areas. No more than twenty-five percent (25%) of the site shall be comprised of floodplains, storm water management facilities and/or slopes exceeding three percent (3%). Any unimproved site shall be provided with a healthy and vibrant grass ground cover;
4. The site shall be located and designed to conveniently access proximate public utilities (e.g., sewer, water, power, etc.). However, no part of any overhead utility easement, nor any above ground protrusion of an underground utility should be permitted in active play areas of the site;
5. No part of the site shall be calculated as part of any required setback, yard and/or open space for adjoining lots or uses as regulated by the Zoning Ordinance; and,

6. The site shall comply with any applicable design, orientation, size and location guidelines listed in the Lampeter-Strasburg Regional Comprehensive Recreation and Open Space Plan for its particular neighborhood.

411.6. **Housing Type and Open Space**

Within a cluster development only single family detached dwellings shall be permitted, and the minimum common open space shall be 30% of the total site area.

411.7 **Required Design Standards** (Revised 9/5/23)

Within cluster developments, the maximum permitted residential density is five (5) units per net acre of the site, including common open space. The following table and its footnotes present applicable design standards:

Use	Minimum Lot Area	Maximum Permitted Height	Minimum Lot Width at Building Setback/ (Frontage)		Maximum Lot Coverage	Minimum Yard Setbacks ²			
						Front ¹	One Side	Both Sides	Rear ²
Single Family Detached Dwelling	6,000 sq. ft.	35 ft.	60 ft.	(50 ft)	50%		6 ft	12 ft	15 ft

¹Front yard setbacks for all principal buildings - see Section 316.

²Where dwellings abut common open space to the rear; the minimum required rear yard setback shall be reduced to twenty (20) feet.

- 411.8. The ownership and maintenance of common open space shall be governed by Section 320 of this Ordinance.

SECTION 412 COMMERCIAL AIRPORTS / HELIPORTS

- 412.1. Within the (A) Zone, commercial airports/heliports are permitted by conditional use, subject to the following criteria:

412.2. **Minimum Lot Area:**

Airports	Heliports
Thirty (30) acres	Three (3) acres

- 412.3. All facilities shall be designed and operated in strict compliance with all applicable State and Federal laws and regulations;
- 412.4. The applicant shall furnish evidence of the obtainment of a license from the Pennsylvania Department of Transportation, Bureau of Aviation, prior to the approval of the conditional use application; and,
- 412.5. No part of the take-off/landing strip and/or pad shall be located nearer than three hundred (300) feet from any property line.

SECTION 413 COMMERCIAL DAY-CARE FACILITIES

- 413.1. Within the (HC) Zone, commercial day-care facilities are permitted by special exception and with the (VC) Zone, commercial day-care facilities are permitted by conditional use, subject to the following criteria:
- 413.2. An outdoor play area shall be provided, at a rate of sixty-five (65) square feet per individual enrolled. Off-street parking compounds shall not be used as outdoor play areas. Outdoor play areas shall not be located within the front yard. Additionally, outdoor play areas shall be located and designed so as not to disrupt normal activities of adjoining uses permitted within the Zone and/or neighborhood. Outdoor play areas shall be completely enclosed by a minimum four (4) foot high fence, and screened from adjoining residentially-zoned properties. Any vegetative materials located within the outdoor play areas shall be of a non-harmful type (poisonous, thorny, allergenic, etc.) All outdoor play areas must provide a means of shade, such as a shade tree(s) or pavilion(s);
- 413.3. Enrollment shall be defined as the largest number of persons and/or children under day-care supervision at any one time during a seven-day period;
- 413.4. Passenger “drop-off” and “pick-up” areas shall be provided on site and arranged so that the passengers do not have to cross traffic lanes on or adjacent to the site;
- 413.5. One (1) off-street parking space shall be provided for each six (6) persons enrolled; and,
- 413.6. All commercial day-care facilities shall obtain and maintain proper licensure from the Commonwealth of Pennsylvania.

SECTION 414 COMMERCIAL RECREATION FACILITIES

- 414.1. Within the (HC and RC) Zones, commercial recreation facilities are permitted by conditional use, subject to the following criteria:
- 414.2. If the subject property contains more than two (2) acres, it shall front on an arterial or collector road;

- 414.3. Those uses involving extensive outdoor activities shall provide sufficient screening and/or landscaping measures to mitigate any visual and/or audible impacts on adjoining properties;
- 414.4. Any structures exceeding the maximum permitted height may be permitted so long as they are set back from all property lines at least the horizontal distance equal to their height, plus an additional fifty (50) feet. Furthermore, such structures shall not be used for occupancy;
- 414.5. The applicant shall comply with the regulations set forth in Section 319 of this Ordinance;
- 414.6. Required parking will be determined based upon a combination of the types of activities proposed and the schedule listed in Section 311.3.2.H. In addition, an unimproved grassed overflow parking area to be provided for peak use periods may be required. Such overflow parking areas shall be accessible only from the interior driveways of the permanent parking lot. Overflow parking areas shall contain fencing to prevent vehicles from crossing adjoining properties or directly accessing adjoining roads;
- 414.7. Any booths or other structures used for the collection of admission and/or parking fees shall be set back and arranged to prevent vehicle back-ups on adjoining roads during peak arrival periods. Any other collection of fees (roaming parking lot attendants) shall be conducted in a manner to prevent vehicle back-ups on adjoining roads. If, at any time after the opening of the commercial recreation facility, the Township determines that traffic back-ups are occurring on adjoining roads, and such back-ups are directly related to the means of access to the subject property, the Township can require the applicant to revise means of access to relieve the undue congestion; and,
- 414.8. Any outside pedestrian waiting lines, shall be provided with a means of shade.

SECTION 415 COMMERCIAL SCHOOLS

- 415.1. Within the (VC) Zone, commercial schools (as herein defined) are permitted by special exception, subject to the following criteria:
- 415.2. All off-street parking lots shall be set back twenty-five (25) feet and screened from adjoining property lines;
- 415.3. All buildings shall be set back at least one hundred (100) feet from any adjoining land within a residential zone;
- 415.4. Enrollment shall be defined as the largest number of students on the site at any one time during a seven (7) day period;

- 415.5. Passenger “drop-off” and “pick-up” areas shall be provided and arranged so that students do not have to cross traffic lanes on or adjacent to the site; and,
- 415.6. Parking shall be provided in accordance with the schedule listed in Section 311.3.2.H. of this Ordinance.

SECTION 416 COMMUNICATIONS ANTENNAS, TOWERS AND EQUIPMENT (Section revised 1/17/05)

- 416.1. Within the (A) Zone communications antennas, towers and equipment shall be permitted subject to the following criteria:
- 416.2. The applicant must demonstrate that the proposed location is necessary for the efficient operation of the system.
- 416.3. An applicant proposing construction of a new communications tower shall demonstrate that such applicant has made a good faith effort to obtain permission to mount the antenna(s) on an existing structure or communications tower. A good faith effort shall require that applicant contact all owners of potentially suitable structures within a one mile radius of the proposed communication tower site and that one or more of the following reasons for not selecting such existing structure or communications tower apply:
1. The proposed antenna(s) and related equipment would exceed the structural capacity of the existing structure or tower, and reinforcement of such existing structure or tower cannot be accomplished at a reasonable cost.
 2. The proposed antenna(s) and related equipment would cause radio frequency interference with other existing equipment at that location and that such interference cannot be prevented at a reasonable cost.
 3. Such existing structures or towers do not have adequate location, space, access or height to accommodate the proposed antenna(s) and related equipment or to allow it (them) to perform its (their) intended function.
 4. Addition of the proposed antenna(s) and related equipment would result in electromagnetic radiation from such location exceeding applicable standards established by the Federal Communications Commission.
 5. Applicant could not reach a commercially reasonable agreement with the owner of such existing structure or tower.
- 416.4. The applicant is strongly encouraged to provide a written commitment that it will rent space on a communications tower to other communications providers to minimize the total number of towers necessary within the region. In order to reduce the number of communications antenna support structures needed in the Township in the future, any proposed communications tower shall be designed to

accommodate other users, including, but not limited to, police, fire and emergency services.

416.5. All communications towers shall be in the form of an alternative tower structure unless the applicant demonstrates that it is not technically feasible to install an alternative tower structure. Wherever possible, the design of the alternative tower structure shall be in harmony with existing improvements on the subject property and the surrounding area. By way of example, if the proposed communications tower will be located on a farm, the communications tower should be an alternative tower structure in the form of a silo. If substantial evidence is presented that an alternative tower structure is not technically feasible, then communications towers and antennas shall meet the following requirements:

1. Communications towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the Federal Aviation Administration, be painted a neutral color so as to reduce visual obtrusiveness.
2. At a communications tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings.

416.6. The installation of a communications tower on any historic property will be permitted only when the communications antennas will be installed using stealth technology. The applicant shall provide renderings or other diagrams illustrating how the historic property will appear after installation of the communications tower. Any equipment building or cabinet associated with the communications tower shall be designed in a manner in keeping with the architecture of the existing structures on the historic property, or all equipment shall be located within an existing structure on the historic property.

- The applicant shall demonstrate that the installation of the communications tower and the erection of any communications equipment building complies with all requirements of the National Historic Preservation Act and shall present copies of applicable communications with the State Historic Preservation Office of the Pennsylvania Historical and Museum Commission, including but not limited to the letter of determination.

416.7. If a communications antenna is installed on a structure other than a communications tower, the communications antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

416.8. Where a communications tower will be located on a working farm, will be surrounded by crop land or agricultural buildings, and will be at least 200 feet from an adjoining property, landscaping may be required. In all other situations, the following landscaping shall be required to screen as much of the

communications tower as possible, the fence surrounding the communications tower, and any other ground level features (such as equipment cabinets or a building).

1. An evergreen screen shall be required to surround the site. The screen can be either a hedge or a row of evergreen trees. The evergreen screen shall be a minimum height of six (6) feet at planting and shall grow to a minimum height of fifteen (15) feet at maturity.
2. Existing vegetation on and around the site shall be preserved to the greatest extent possible.

- 416.9. The applicant shall demonstrate that the communications tower and all communications antennas to be installed on the communications tower are the minimum height required to function satisfactorily and to demonstrate that the tower is no taller than required for satisfactory functioning.
- 416.10. Any communications tower shall be set back from each property line a distance equal to its height, but in no circumstances less than fifty (50) feet from any property line. This setback shall also be applicable to guide wire anchors for the communications tower.
- 416.11. All communications towers shall be completely enclosed by an eight (8) foot high fence and self-locking gate.
- 416.12. The applicant shall furnish expert testimony regarding the construction methods or other measures used to prevent the toppling of any communications tower onto adjoining properties and/or roads and the wind-borne scattering of ice onto adjoining properties and/or roads. The applicant shall be required to implement construction methods or standards to prevent such occurrences.
- 416.13. Communications towers shall be sited so as to separate them from adjacent activities and structures located on adjoining lots.
- 416.14. The applicant shall submit notice of approval for the proposed installation from the Federal Aviation Administration and the Federal Communications Commission.
- 416.15. Communications towers which contain communications antennas which are capable of transmitting signals shall not create electrical, electromagnetic, microwave, or other interference off-site. Applicant shall present specific evidence that the applicant's facilities will not interfere with the operations of Lancaster County-Wide Communications.
- 416.16. The applicant shall submit a plan for the removal of the communications tower and all communications antennas on such communications tower and all related

equipment and facilities when they become functionally obsolete or are no longer in use. The applicant shall be responsible for the removal of the facility within six (6) months from the date the applicant ceases use of the facility or the facility becomes obsolete. The applicant, and, if different, the landowner shall be responsible to notify the Township when the communications tower is no longer in operation.

- 416.17. The Board of Supervisors may require the applicant to post a maintenance or performance bond in an amount sufficient to secure the installation and maintenance of the communications tower, communications antenna and related equipment and facilities during their lifetime and removal of the communications tower, communications antenna and related equipment and facilities when no longer in use.
- 416.18. The installation of communications towers and communication antennas on existing structures will be permitted if the installation will not exceed twenty (20) feet above the height of the existing structure.
- 416.19. Attachments to existing structures shall be designed by a Pennsylvania Registered Professional Engineer who shall certify that the proposed installation will not exceed the structural capacity of the building or other structure considering wind and other loads associated with the communications antenna location.
- 416.20. The applicant shall submit detailed construction and elevation drawings indicating how the communications antennas will be mounted on the structure.
- 416.21. A communications equipment cabinet or structure shall not contain more than 200 square feet of gross floor area or be more than 12 feet in height.
- 416.22. Communications towers shall not be artificially lighted, unless required by the Federal Aviation Administration or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to surrounding properties.
- 416.23. The owner of any communications tower higher than thirty-five (35) feet shall submit proof of an annual structural inspection. The owner of the communications tower shall promptly repair any structural faults noted in the inspection. If the tower owner fails to provide the required inspection report, it will be conclusively presumed that the facility is no longer operational and the communications tower will have to be removed in accordance with Section 416.16.

SECTION 417 DRIVE-THRU AND/OR FAST-FOOD RESTAURANTS

- 417.1. Within the (HC) Zone, drive-thru and/or fast-food restaurants are permitted by conditional use, subject to the following criteria:

- 417.2. The subject property shall front on an arterial or collector road;
- 417.3. Exterior trash receptacles shall be provided and routinely emptied so as to prevent the scattering of litter. All applications shall include a description of a working plan for the cleanup of litter;
- 417.4. All drive-thru window-lanes shall be separated by curb from the parking lot's interior driveways;
- 417.5. Any exterior speaker/microphone system shall be arranged and/or screened to prevent objectionable noise impact on adjoining properties;
- 417.6. All exterior seating/play areas shall be completely enclosed by a four (4) foot high fence; and,
- 417.7. No part of the subject property shall be located within two hundred (200) feet of any residentially-zoned land.

SECTION 418 DRIVING HORSE BOARDING (AMENDED 7/10, 11/18)

- 418.1. Within the Agricultural and Rural Residential (AG and RR) Zones on lots equal to or greater than one-half acre, but less the two (2) acres, the keeping of horses used solely as the resident's principal mode of transportation is permitted by right as an accessory use to the principal residence, subject to the following criteria:
- 418.2. A maximum of two (2) transportation horses shall be permitted;
- 418.3. Any structure used to house transportation horses shall be set back at least twenty-five (25) feet from every side and rear property line and shall not be permitted within the front yard;
- 418.4. One (1) horse and carriage barn shall be permitted with a maximum size of seven hundred and fifty (750) square feet and a maximum height of twenty (20) feet;
- 418.5. All outdoor pasture area shall be enclosed with fencing to prevent the escape of the animals;
- 418.6. All animal waste shall be stored in an enclosed structure meeting the minimum setbacks of Section 418.3
- 418.7. All animals, their housing and their outdoor pasture area shall be properly maintained so as not to become a nuisance to adjoining properties.
- 418.8. All other zoning districts and lot sizes shall comply with the Non-Commercial Keeping of Animals requirements as stated in Section 201.2.11.C.E

SECTION 419 DRY CLEANERS, LAUNDRIES, AND LAUNDROMATS

- 419.1. Within the (VC) Zone, dry cleaners, laundries and laundromats are permitted by special exception, subject to the following criteria:
1. All activities shall be conducted within a completely enclosed building;
 2. During operation or plant cleanup and maintenance, all windows and doors on walls facing adjoining residential zones shall be kept closed;
 3. Any exhaust ventilation equipment shall be directed away from adjoining residentially-zoned property; and,
- 419.2. Self-service laundromats shall require one (1) off-street parking space for each two (2) washing machines; other laundry-related uses shall provide one (1) off-street parking space for each four hundred (400) square feet of gross floor area.

SECTION 420 FAMILY DAY-CARE FACILITIES

- 420.1. Within the (VR, R-1 and R-2) Zones, and within Village Overlay Developments, family day-care facilities are permitted by special exception, subject to the following criteria (Rev. 11/2011):
- 420.2. All family day-care facilities shall be conducted within a detached single-family dwelling;
- 420.3. An outdoor play area no less than four hundred (400) square feet in area shall be provided. Such play area shall not be located within the front yard nor any vehicle parking lot. A minimum four-foot-high fence shall completely enclose the outdoor play area. Any vegetative materials located within the outdoor area shall be free of a harmful type (poisonous, thorny, allergenic, etc.). All outdoor play areas must include a means of shade such as a tree(s) or pavilion; and,
- 420.4. Passenger “drop-off” and “pickup” areas shall be provided on site and arranged so that passengers do not have to cross traffic lanes on or adjacent to the site.

SECTION 421 FARM-RELATED BUSINESSES

421.1. Within the (A) Zone, farm-related businesses are permitted by conditional use, subject to the following standards:

421.2. The applicant must provide evidence that the proposed use is important to local farming and is specifically sized to primarily serve local users. All activities and services should be directed at meeting the needs of those engaged in local farming. The facility should be primarily directed at providing materials and services needed to farm, but may also involve the distribution of goods produced on the farm.

Some examples of farm-related businesses (if suitably sized) include, but need not be limited to:

1. Sales or repair of agricultural equipment;
2. Blacksmith shops, farriers;
3. Butcher shops;
4. Grain mills;
5. Processing of locally-produced agricultural products;
6. Veterinary offices which primarily treat farm animals, stables, kennels;
7. Feed supply, fuel and fertilizer distributors; and,
8. Composting and other farm waste storage facilities;

421.3. The farm-related business shall occupy no more than five (5) acres. The applicant shall show that the size of the site is the minimum needed to conduct the farm-related business;

421.4. The design of a farm-related business shall be governed by the design standards for the Industrial Zone, as listed in Section 208;

421.5. The length of any on-site access drive(s) shall be sufficient to allow the stacking of delivery and/or customer vehicles. Furthermore, any use that potentially involves the movement of vehicles through mud and/or manure shall provide a paved apron of at least fifty (50) feet from the street right-of-way. In addition, another fifty (50) foot gravel section shall be located just beyond the paved apron;

421.6. Any outdoor storage of supplies, materials and products shall be screened from adjoining roads and properties, except that the display of farm equipment for sale shall be screened from adjoining properties but open to the road frontage. This outdoor storage area shall not exceed fifteen thousand (15,000) square feet;

- 421.7. One (1) sign shall be permitted for a farm-related business; such sign shall not exceed thirty-two (32) square feet in total area;
- 421.8. Any building constructed for use by the farm-related business (unless uniquely suited to that business) shall be of a type so that it can be converted to agricultural use in the event the farm-related business is discontinued (e.g., barn or shed); and,
- 421.9. The applicant shall comply with the regulations set forth in Section 319 of this Ordinance.

SECTION 422 FARMERS AND/OR FLEA MARKETS

- 422.1. Within the (HC) Zone, farmers and/or flea markets are permitted by conditional use, subject to the following criteria:
- 422.2. The retail sales area shall be considered to be that of the smallest rectangle, or other regular geometric shape which encompasses all display stands, booths, tables or stalls, plus any adjoining aisles and/or walkways from which consumers can inspect items for sale. The retail sales area shall include all indoor and/or outdoor areas as listed above;
- 422.3. The retail sales area shall be set back at least fifty (50) feet from all property lines, and shall be calculated as part of the maximum permitted lot coverage, regardless of its surface treatment;
- 422.4. Off-street parking shall be provided at the rate of one (1) space per each two hundred (200) square feet of retail sales area, and shall be designed and used in accordance with Section 311 of this Ordinance;
- 422.5. Off-street loading shall be calculated upon the retail sales area described above and according to the schedule listed in Section 311.3.2.H. of this Ordinance;
- 422.6. All outdoor display and sales of merchandise shall cease no less than one (1) hour prior to sunset;
- 422.7. Any exterior amplified public address system shall be arranged and designed so as to prevent objectionable impact on adjoining properties; and,
- 422.8. Exterior trash receptacles shall be provided amid any outdoor retail sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.

SECTION 423 FUNERAL HOMES

- 423.1. Within the (HC) Zone, funeral homes are permitted by special exception, subject to the following criteria:
- 423.2. The applicant shall furnish evidence that the use of materials and disposal of wastes is in compliance with Section 325 of this Ordinance and will be accomplished in a manner which complies with State and Federal regulations;
- 423.3. Public sewer and water shall be utilized;
- 423.4. Sufficient off-street parking shall be provided to prevent back-ups onto adjoining roads; the applicant shall describe what measures will be used to prevent such back-ups (e.g., overflow parking, parking attendants, etc.); and,
- 423.5. No direct vehicular access shall be permitted between the site and an arterial road.

SECTION 424 GOLF COURSES

- 424.1. Within the (A) Zone, golf courses are permitted by conditional use, subject to the following:
- 424.2. In no case shall the golf course design permit or encourage a golf ball to be driven across any building, building lot, parking lot, street, access drive, or driveway;
- 424.3. Golf Paths - Golf paths shall be graded so as to discharge storm water runoff. Surface conditions of paths shall be adequately protected from erosion.
 - 1. The golf course design shall minimize golf path crossings of streets, access drives and driveways. Easily identifiable golf paths must be provided for crossings of streets, access drives or driveways. The golf course design shall both discourage random crossing and require use of the golf path crossings of streets, access drives and driveways. Golf path crossings shall conform with the following:
 - A. Each crossing shall be perpendicular to the traffic movements;
 - B. Only one (1) street, access drive or driveway may be crossed at each location;
 - C. No crossing is permitted between a point fifteen (15) feet and one hundred fifty (150) feet from the cartway edge of a street, access drive or driveway intersection;
 - D. The crossing must be provided with a clear sight triangle of seventy-five (75) feet, measured along the street, access drive or driveway centerline and the golf path centerline, to a location on the centerline of the golf path, five (5) feet from the edge of the roadway. No permanent obstruction over three (3) feet high shall be placed within this area;

- E. Sight Distance - Golf path intersections shall be designed to provide adequate sight distance with regard to both horizontal and vertical alignment. The required sight distance shall be governed by the Subdivision and Land Development Ordinance (Rev. 3/2016);
- F. The golf cart path shall not exceed a slope of eight percent (8%) within twenty-five (25) feet of the cartway crossing;
- G. Golf path crossings shall be signed warning motorists and pedestrians and golfers. The surface of the golf path shall be brightly painted with angle stripes; and,
- H. Golf path crossings of collector or arterial streets shall consist of a tunnel that is located below street grade. The golf course design shall both prohibit on-grade crossing of collector or arterial streets and require the use of the tunnel. The construction of the collector or arterial roadway crossing of the tunnel shall comply with PennDOT standards.

424.4. All golf course buildings shall be set back seventy-five (75) feet from any adjoining roads and one hundred (100) feet from adjoining residential structures or parcels;

- 1. Clubhouse, which may consist of:
 - A. Restaurant, snack bar, lounge, and banquet facilities;
 - B. Locker and rest rooms;
 - C. Pro shop;
 - D. Administrative offices;
 - E. Golf cart and maintenance equipment storage and service facilities;
 - F. Guest lodging for those using the golf course, provided:
 - a. no lodging units have separate exterior means of ingress/egress;
 - b. all lodging units shall be contained within the main clubhouse; and,
 - c. such guest lodging shall have a total occupancy of no more than twenty (20) persons;
 - G. Fitness and health equipment, including workout machines, spas, whirlpools, saunas, and steam rooms;
 - H. Game rooms, including card tables, billiards, ping-pong, and other similar table games;
 - I. Baby-sitting rooms and connected fence-enclosed playlots; and,
 - J. Indoor swimming pool.

2. Accessory recreation amenities located outside of a building, including:
 - A. Driving range, provided that no lighting is utilized;
 - B. Practice putting greens;
 - C. Swimming pools;
 - D. Tennis, platform tennis, handball, racquetball, squash, volleyball, and badminton courts;
 - E. Bocce ball, croquet, shuffleboard, quoits, horseshoe pits, and washers courses;
 - F. Picnic pavilions, picnic tables, park benches, and barbecue pits;
 - G. Hiking, biking, horseback riding, and cross-country ski trails; and,
 - H. Playground equipment and playlot games, including 4-square, dodgeball, tetherball, and hopscotch.
3. Freestanding maintenance equipment and supply buildings and storage yards.

424.6. All outdoor storage of maintenance equipment and/or golf carts shall be set back at least one hundred (100) feet and screened from adjoining residential structures and roads; and,

424.7. All dumpsters and off-street parking and/or loading areas shall be screened from adjoining or nearby residences. In addition, all off-street loading and dumpsters shall be screened from adjoining roads.

SECTION 425 HEALTH AND FITNESS CLUBS

425.1. Within the (HC) Zone, health and fitness clubs are permitted by special exception, subject to the following criteria:

425.2. Minimum lot area - Two (2) acres;

425.3. Off-street parking shall be provided as required by the combination of elements comprising the health club, including accessory uses;

425.4. All outdoor recreation facilities shall be set back at least fifty (50) feet from the street right-of-way line, and twenty-five (25) feet from all other lot lines, and one hundred (100) feet from any residentially-zoned properties;

425.5. Any accessory eating, or retail use, shall not be directly accessible without passing through the main clubhouse building; and,

425.6. All lighting of outdoor recreation areas shall be arranged to prevent glare on adjoining properties and streets.

SECTION 426 HEAVY EQUIPMENT SALES, SERVICES AND/OR REPAIR FACILITIES

- 426.1. Within the (I) Zone, heavy equipment sales, service and/or repair service facilities are permitted by conditional use, subject to the following criteria:
- 426.2. All service and/or repair activities shall be conducted within a completely enclosed building;
- 426.3. All uses involving drive-thru service shall provide sufficient on-site stacking lanes to prevent vehicle back-ups on adjoining roads;
- 426.4. All exterior storage and/or display areas shall be screened from adjoining residentially-zoned properties. All exterior storage/display areas shall be set back at least fifty (50) feet from adjoining street lines and shall be covered in an all-weather, dust-free surface;
- 426.5. The storage of junked vehicles, boats, machinery, trucks, trailers, mobile homes and heavy equipment vehicles on the property is prohibited;
- 426.6. Any ventilation equipment outlets associated with the service/repair work area(s) shall not be directed toward any adjoining residentially-zoned property; and,
- 426.7. All vehicles shall be repaired and removed promptly from the premises.

SECTION 427 HEAVY INDUSTRIAL USES

- 427.1. Within the (I) Zone, heavy industrial uses are permitted by conditional use, subject to the following criteria:
- 427.2. The applicant shall provide a detailed description of the proposed use in each of the following topics:
 - 1. The nature of the on-site processing operations, the materials used in the process, the products produced, and the generation and methods for disposal of any wastes and/or by-products. In addition the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations;
 - 2. The general scale of the operation in terms of its market area, specific floor space requirements for each step of the industrial process, the total number of employees on each shift, and an overall needed site size;
 - 3. The applicant shall comply with the regulations set forth in Section 319 of this Ordinance; and,

4. A traffic study prepared by a professional traffic engineer, according to Section 321 of this Ordinance.

SECTION 428 HOME IMPROVEMENT AND BUILDING SUPPLY STORES

- 428.1. Within the (HC) Zone, home improvement and building supply stores are permitted by special exception, subject to the following criteria:
- 428.2. If the subject property contains more than two (2) acres, it shall front along an arterial or collector road;
- 428.3. The retail sales area shall be all areas open for public display, including but not limited to shelves, racks, bins, stalls, tables, and booths, plus any adjoining aisles or walkways from which consumers can inspect items for sale. The retail sales area shall include both interior and exterior areas as listed above;
- 428.4. Off-street parking shall be provided at the rate of one space for each two hundred (200) square feet of interior retail sales area, plus one (1) space for each five hundred (500) square feet of exterior retail sales area;
- 428.5. All exterior retail sales areas shall include a dust-free surface and a completely enclosed six (6) foot high fence and gate;
- 428.6. All exterior storage and retail sales areas (exclusive of nursery and garden stock) shall be screened from adjoining roads and properties;
- 428.7. The applicant shall furnish expert evidence that any exterior amplified public address system and/or exterior lighting has been arranged and designed so as to prevent objectionable impact off the site;
- 428.8. Any drilling, cutting, sawing, mixing, crushing or some other preparation of building materials, plus any testing or repair of motorized equipment shall be conducted within a completely enclosed building; and,
- 428.9. The applicant shall submit a traffic study as governed by Section 321 of this Ordinance.

SECTION 429 HOME OCCUPATIONS

- 429.1. Within the (A, VR, VC, R-1, R-2, RC, RR and RH) Zones, home occupations are permitted by special exception, subject to the following criteria: (Rev. 9/98, 12/98, 6/11, 11/11)
- 429.2. The primary use of the premises shall be as a dwelling for living purposes, and the home occupation shall be clearly incidental; (Rev.11/00)

- 429.3. No more than two (2) nonresident employees shall be permitted;
- 429.4. No more than one (1) home occupation may be located on any property;
- 429.5. The home occupation shall not alter the appearance of the building as a dwelling unit;
- 429.6. No manufacturing shall occur on the premises other than the products of customary hobbies and the fabrication of garments by a seamstress. No use shall be permitted in a home occupation which does not comply with the regulations set forth in Section 319 of this Ordinance; (Rev.11/00)
- 429.7. No sales of any goods or merchandise shall occur on the premises, other than those goods or merchandise which are produced on the premises, except that limited sales of products incidental to the home occupation shall be permitted (e.g., shampoo, accessories, etc.). Any area devoted to retail sales display shall be limited to twenty percent (20%) of the overall size of the home occupation;
- 429.8. No goods or raw materials shall be displayed or stored so as to be visible from the property lines of the premises; (Rev.11/00)
- 429.9. Home occupations shall be limited to not more than twenty-five percent (25%) of the habitable floor area of the dwelling unit, or five hundred (500) square feet, whichever is less; (Rev.11/00)
- 429.10. Accessory building(s) or structure(s) can be used for a home occupation, provided that the total area used in the accessory building, plus the area in the dwelling unit, shall not exceed twenty-five percent (25%) of the habitable floor area of the dwelling unit; (Rev.11/00)
- 429.11. In addition to the required parking spaces for the dwelling unit, one (1) parking space per non-resident employee and one per potential patron on site at one time shall be provided and designed in accordance with the provisions of Section 311.3.2.H. of this Ordinance; (Rev.11/00)
- 429.12. All deliveries to the site of materials and goods shall be during normal business hours and by vehicles no longer than a 24-foot straight truck with a GVW rating of 18,000 pounds; (11/00)
- 429.13. Only one (1) sign advertising a home occupation shall be permitted. Such sign shall not be illuminated and shall be limited to two (2) square feet within the (R-1) and (RR) Zones, and twelve (12) square feet elsewhere; (Rev.11/00)
- 429.14. The applicant shall submit evidence of all applicable Federal and State approvals; (Rev. 9/98, 11/00)

- 429.15. Evidence shall be provided indicating that the disposal of all materials and wastes will be accomplished in a manner that complies with State and Federal regulations. Such evidence shall, at a minimum, include copies of contracts with waste haulers licensed to operate within Lancaster County which have been contracted to dispose of the materials and wastes used or generated on-site or some other legal means of disposal. The zoning permit for this use shall remain valid only so long as such contracts remain in effect and all materials and wastes are properly disposed of on a regular basis. Should the nature of the occupation change in the future, such that the materials used or wastes generated changes significantly either in type or amount, the owner of the operation shall so inform the Zoning Officer, and shall provide additional evidence demonstrating continued compliance with the requirements of this section. (Rev. 12/96)

SECTION 430 HOSPITALS

- 430.1. Within the (HC) Zone, hospitals are permitted by conditional use, subject to the following criteria:
- 430.2. Minimum lot area - Two (2) acres;
- 430.3. Public sewer and water shall be used;
- 430.4. The subject property shall have frontage along an arterial or collector road, as identified in Section 314 of this Ordinance;
- 430.5. All buildings and structures shall be set back fifty (50) feet from all property lines;
- 430.6. Emergency entrances shall be located on a building wall facing away from adjoining residentially-zoned properties; and,
- 430.7. The applicant shall demonstrate the use of approved means of disposal of medical and hazardous wastes.

SECTION 431 INTENSIVE COMMERCIAL LIVESTOCK OPERATIONS

- 431.1. Within the (A) Zone, intensive commercial livestock operations are permitted by conditional use, subject to the following:
- 431.2. Minimum Lot Area - Twenty (20) acres;
- 431.3. Any area used for the housing, feeding and watering, and/or outdoor running of livestock shall be setback at least three hundred (300) feet from all property lines and at least five hundred (500) feet from any residential zone;

- 431.4. The applicant shall furnish qualified evidence that the proposed use has an approved manure management plan that complies with the Pennsylvania “Nutrient Management Act” of 1993. All subsequent operations on the site shall be required to strictly adhere to an approved manure management plan; and,
- 431.5. The applicant shall furnish evidence from the Lancaster County Conservation District, that the proposed use has an approved conservation plan.

SECTION 432 JUNKYARDS

- 432.1. Within the (I) Zone, junkyards are permitted by conditional use, subject to the following criteria:
- 432.2. Minimum Lot Area - Ten (10) acres;
- 432.3. The outdoor area devoted to the storage of junk shall be completely enclosed by an eight (8) foot high, sight-tight fence which shall be set back at least fifty (50) feet from all property lines and one hundred (100) feet from residentially-zoned properties;
- 432.4. The setback area between the fence and the lot lines shall be kept free of weeds and all scrub growth;
- 432.5. All completely enclosed buildings used to store junk shall be set back at least fifty (50) feet from all property lines;
- 432.6. No material may be stored or stacked so that it is visible from adjoining properties and roads;
- 432.7. All additional Federal and State laws shall be satisfied;
- 432.8. All junk shall be stored or arranged so as to permit access by firefighting equipment and to prevent the accumulation of water, and with no junk piled to a height greater than eight (8) feet;
- 432.9. No material shall be burned at any time;
- 432.10. Any junkyard shall be maintained in such a manner as to cause no public or private nuisance, comply with the regulations set forth in Section 319 of this Ordinance, or to cause the breeding or harboring of rats, flies, or other vectors; and,
- 432.11. No junkyard shall be located on land with a slope in excess of five percent (5%).

SECTION 433 KENNELS (Rev. 4/18)

- 433.1. Within the (A) Zone, boarding and breeding kennels are permitted by special exception, subject to the following criteria:
- 433.2. The following lists minimum required lot sizes and required minimum setbacks based on the keeping of a specific number of animals:

Breeding Kennels

Maximum Number of Dogs over the age of six(6) months	Minimum Lot Size	Minimum Setback from Property Line including right of way line*	Minimum Required Setback of Animal Boarding Buildings, Pens, Stalls, Runways from the Nearest Dwelling other than that of the property in which the kennel operation is located.
2 dogs	2 acres	100 feet	150 feet
4 dogs	6 acres	200 feet	300 feet
6 dogs	21 acres	300 feet	450 feet
10 dogs	50 acres	300 feet	450 feet

* May be reduced by Special Exception and any reduction shall not exceed 50% of the required setback distance.

Boarding Kennels

Maximum Number of Dogs	Minimum Lot Size	Minimum Setback from Property Line including right of way line	Minimum Required Setback of Animal Boarding Buildings, Pens, Stalls, Runways from the Nearest Dwelling other than that of the property in which the kennel operation is located.
20 dogs	10 acre	200 feet	300 feet

- 433.3. All animal boarding buildings and any outdoor animal pens, stalls or runways shall not be located in the front yard;
- 433.4. The applicant shall furnish evidence of an effective means of animal waste disposal in accordance with the PA DEP Residual Waste regulations. No waste shall be stored nor disposed of within 100 feet of any property line or street right of way line.
- 433.5. All kennel buildings, pens, stalls or runways shall be screened from all adjoining dwellings, other than the applicants, and public roadways. The screening shall create a visual barrier from the ground level to a height of six (6) feet at the time

of construction. The screening shall consist of a combination of fencing and evergreen plantings. The screening shall be presented to the zoning hearing board for approval at the time of application.

- 433.6 The applicant shall exercise control over the animals and shall not allow a nuisance condition to be created in terms of noise, animal waste and odor.
- 433.7 No breeding kennel operation shall consist of more than ten (10) adult dogs over the age of six (6) months.
- 433.8 No more than one (1) kennel operation is permitted on any lot.
- 433.9 All dogs shall be contained indoors during the hours of 9:00 p.m. until 6:00 a.m.
- 433.10 Operation of kennels shall comply with the Dog Law, Act of December 7, 1982, P.L.784, No, 225, as amended, 3 P.S. 459-101 et seq., and all applicable regulations of the Pennsylvania Department of Agriculture.
- 433.11 All kennels shall be subject to the following requirements:
1. The applicant shall obtain a certificate of use and occupancy for the kennel which shall be renewed yearly. The fee for such certificate of use shall be in accordance with the Strasburg Township Fee Resolution.
 2. The applicant shall permit, at a minimum, random yearly inspection of the kennel facility if the facility is not licensed by the Pennsylvania Department of Agriculture. Pennsylvania Department of Agriculture licensed facilities shall forward a copy of all Pennsylvania Department of Agriculture Inspection Forms within 30 days from the date of inspection.
 3. The applicant shall, at the request of the zoning officer, provide copies of all records required to be maintained by the Dog Law and if the Kennel is not regulated by the Dog Law, the applicant shall keep written record of all dogs transferred and furnish such record at the request of the Township. The records shall include the dates of transfer and the name and address of the individual to whom each dog is transferred.
 4. Evidence of Pennsylvania Department of Agriculture licensing, if required, shall be provided to the Township prior to the issuance of a certificate of use and occupancy.
- 433.12 Non-conforming Kennels – Any existing non-conforming kennels shall be required to comply with Section 433.11

SECTION 434 MINI-WAREHOUSES

- 434.1. Within the (HC) Zone, mini-warehouses are permitted by special exception, subject to the following criteria:

- 434.2. Off-street parking spaces shall be provided according to the schedule listed in Section 311.3.2.H. of this Ordinance;
- 434.3. Parking shall be provided by parking/driving lanes adjacent to the buildings. These lanes shall be at least twenty-six (26) feet wide when cubicles open onto one side of the lane only, and at least thirty (30) feet wide when cubicles open onto both sides of the lane;
- 434.4. Required parking spaces may not be rented as, or used for, vehicular storage. However, additional external storage area may be provided for the storage of privately-owned travel trailers and/or boats, so long as such external storage area is screened from adjoining residentially-zoned land and adjoining roads, and is located behind the minimum front yard setback line. This provision shall not be interpreted to permit the storage of partially dismantled, wrecked, or inoperative vehicles;
- 434.5. All storage shall be kept within an enclosed building except that the storage of flammable, highly combustible, explosive or hazardous chemicals shall be prohibited. Any fuel tanks and/or machinery or other apparatuses relying upon such fuels shall be stored only in an external storage area as described above;
- 434.6. An on-site manager shall be required to be on the site on a full-time basis for mini-warehouses of seventy (70) units or more, and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval and all applicable ordinances. Any dwelling for a resident manager shall comply with all of those requirements listed within the (R-1) Zone, and shall be entitled to all residential accessory uses provided in this Ordinance;
- 434.7. Because of the danger from fire or explosion caused by the accumulation of vapors from gasoline, diesel fuel, paint, paint remover, and other flammable materials, the repair, construction, or reconstruction of any boat, engine, motor vehicle, or furniture is prohibited;
- 434.8. Individual mini-warehouse units shall not exceed four hundred (400) square feet;
- 434.9. No door openings for any mini-warehouse storage unit shall be constructed facing any residentially-zoned property;
- 434.10. Mini-warehouses shall be used solely for the dead storage of property. The following lists examples of uses expressly prohibited upon the site:
1. Auctions, commercial wholesale or retail sales, or garage sales;
 2. The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment;
 3. The operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment;

4. The establishment of a transfer and storage business; and,
5. Any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations;

The applicant shall adequately demonstrate that all mini-warehouses rental and/or use contracts shall specifically prohibit these uses.

SECTION 435 MOBILE HOME PARKS

- 435.1. Within the (VR) Zone, mobile home parks are permitted by conditional use, subject to the following criteria:
- 435.2. A mobile home park shall contain a minimum of five (5) acres;
- 435.3. All mobile home parks shall be served by public water and public sanitary sewer facilities;
- 435.4. Maximum density in a mobile home park shall be five (5) units per acre;
- 435.5. All mobile home lots shall contain at least 4,250 square feet;
- 435.6. Each mobile home lot shall have a minimum front yard of thirty (30) feet, rear yard of twenty (20) feet, and two sides of ten (10) feet each. In no case shall the distance between any two mobile homes be less than twenty (20) feet (these setbacks shall also apply to mobile home park offices, service, utility, or other buildings);
- 435.7. All mobile home parks shall be provided with a perimeter landscape buffer strip that is at least fifty (50) feet wide. Such width shall be measured from adjoining property and rights-of-way lines;
- 435.8. Each mobile home shall be placed on a six (6) inch thick poured concrete pad over a six (6) inch stone base, the length and width of which shall be at least equal to the length and width of the mobile home it is to support. Each pad shall include properly designed utility connections. Protective skirting shall be placed around the area between the pad and the floor level of each mobile home so as to prevent that area from forming a harborage for rodents, to allow the creation of a fire hazard, or to expose unsightly conditions;
- 435.9. Every mobile home shall be anchored to the mobile home stand where it is located prior to the unit being occupied, and no more than seven (7) days from the arrival of the mobile home. The anchoring system shall be designed by a registered professional engineer to prevent tilting of the unit and resist a minimum wind velocity of ninety (90) miles per hour;
- 435.10. Each mobile home shall be provided with a minimum of two (2) paved parking spaces containing at least one hundred eighty (180) square feet of bituminous or

concrete surface which shall be located on the mobile home lot. If on-street parking is not provided, one additional off-street parking space per unit shall be provided in a common visitor parking compound. Such visitor parking compounds shall be sized, arranged, and located so that the spaces are within three hundred (300) feet walking distance to any unit served. Access to all parking spaces shall be limited to interior roads of the mobile home park; in no case shall access to such parking spaces be provided from adjoining public roads.

- 435.11. Interior mobile home park roads with no on-street parking shall be paved with an all-weather, dust-free surface at least twenty-four (24) feet wide. An additional width of ten (10) feet shall be provided for each lane of on-street parking;
- 435.12. Individual mobile home owners may install one (1) accessory or storage shed, or extensions and additions to mobile homes, and exterior patio areas. Any such facilities so installed shall not intrude into any required front, side, or rear yard and, in every case, shall substantially conform in style, quality, and color to the existing mobile homes;
- 435.13. There shall be a minimum of thirty percent (30%) of the gross acreage of the mobile home park devoted to active and/or passive common recreational facilities. Responsibility for maintenance of the recreational areas shall be with the landowner and/or the operator. Should the landowner and/or the operator neglect to maintain the designated recreational area as depicted on the plan, the Township may then maintain said areas and assess the landowner for any costs incurred; and,
- 435.14. A visual screen shall be placed along the mobile home park boundaries that adjoin other residentially-zoned properties. Such screen can consist of sight-tight fencing, vegetative materials, or earthen berms that are so arranged to effectively block the views from ground level on adjoining properties. Screening shall be provided between ground level and at least a height of six (6) feet. If sight-tight fencing is used, it shall not encompass more than fifty percent (50%) of the total surface area of the required screen.

SECTION 436 NIGHTCLUBS

- 436.1. Within the (HC) Zone, nightclubs are permitted by conditional use, subject to the following criteria:
- 436.2. No part of the subject property shall be located within six hundred (600) feet of any residentially-zoned land;
- 436.3. The applicant shall furnish expert evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, light, and/or litter;

- 436.4. The applicant shall furnish expert evidence as to how the use will be controlled so as to not constitute a nuisance due to noise or loitering outside the building; and,
- 436.5. A working plan for the cleanup of litter shall be furnished and implemented by the applicant.

SECTION 437 NURSING, REST OR RETIREMENT HOMES

- 437.1. Within the (RR, VR and R-1) Zones, nursing, rest or retirement homes are permitted by conditional use, and in the (RC) Zone, nursing, rest or retirement homes are permitted by special exception, subject to the following criteria:
- 437.2. The site shall contain at least two (2) acres;
- 437.3. All parking areas shall be set back a minimum of twenty-five (25) feet from all property lines;
- 437.4. A nursing, rest or retirement home may erect one (1) sign no larger than twelve (12) square feet in size, which must be set back ten (10) feet from all lot lines;
- 437.5. The applicant shall furnish evidence that an approved means of sewage disposal and water supply shall be utilized;
- 437.6. At least twenty percent (20%) of required parking spaces shall be designed for handicapped persons; and,
- 437.7. No more than twenty-seven (27) care beds per acre shall be permitted.

SECTION 438 OFF-TRACK BETTING PARLORS

- 438.1. Within the (HC) Zone, off-track betting parlors are permitted by conditional use, subject to the following criteria:
- 438.2. An off-track betting parlor shall not be permitted to be located within one thousand (1,000) feet of any other off-track betting parlor;
- 438.3. No off-track betting parlor shall be located within one thousand (1,000) feet of any residentially-zoned land;
- 438.4. No off-track betting parlor 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:
1. Amusement park;
 2. Camp (for minors' activity);
 3. Child care facility;

4. Church or other similar religious facility;
 5. Community center;
 6. Museum;
 7. Park;
 8. Playground;
 9. School; or
 10. Other lands where minors congregate;
- 438.5 The distance between any two off-track betting parlors shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior parcel line of each establishment. The distance between any off-track betting parlor and any land use specified above shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior property line of the off-track betting parlor to the closest point on the property line of said land use;
- 438.6 No more than one (1) off-track betting parlor may be located within one building or shopping center;
- 438.7 The applicant shall furnish expert evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, light and/or litter;
- 438.8 The applicant shall furnish expert evidence as to how the use will be controlled so as to not constitute a nuisance due to noise or loitering outside the building;
- 438.9 A working plan for the cleanup of litter shall be furnished and implemented by the applicant;
- 438.10 Off-street parking shall be provided at the rate of one (1) space per each sixty-five (65) square feet of gross floor area, including related dining, restaurant and snack bar areas; and,
- 438.11 All off-track betting parlors shall comply with the Pennsylvania Horse and/or Harness Racing Commission's Rules and Regulations pertaining to Non-primary Locations, as defined therein.

SECTION 439 OUTDOOR THEATERS

- 439.1 Within the (RC) Zone, outdoor theaters shall be permitted by conditional use, subject to the following:

- 439.2. No drive-in movie theaters shall be permitted;
- 439.3. No part of the subject property shall be located within two hundred (200) feet of any residentially-zoned land;
- 439.4. The applicant shall furnish evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, light, and/or litter;
- 439.5. The applicant shall furnish expert evidence as to how the use will be controlled so as to not constitute a nuisance due to noise and/light;
- 439.6. A working plan for the cleanup of litter shall be furnished and implemented by the applicant;
- 439.7. Any structures exceeding the maximum permitted height may be permitted so long as they are set back from all property lines at least the horizontal distance equal to their height, plus an additional fifty (50) feet. Furthermore, such structures shall not be used for occupancy;
- 439.8. Required parking will be determined based upon the types of activities proposed and the schedule listed in Section 311.3.2.H. In addition, the Township Board of Supervisors may require an unimproved grassed overflow parking area to be provided for peak use periods. Such overflow parking areas shall be accessible only from the interior driveways of the permanent parking lot. Overflow parking areas shall contain fencing to prevent vehicles from crossing adjoining properties or directly accessing adjoining roads;
- 439.9. Any booths or other structures used for the collection of admission and/or parking fees shall be set back and arranged to prevent vehicle backups on adjoining roads during peak arrival periods. Any other collection of fees (roaming parking lot attendants) shall be conducted in a manner to prevent vehicle backups on adjoining roads. If, at any time after the opening of the commercial recreation facility, the Township Board of Supervisors determines that traffic backups are occurring on adjoining roads, and such backups are directly related to the means of access to the subject property, the Township Board of Supervisors can require the applicant to revise means of access to relieve the undue congestion; and,
- 439.10. Any outside pedestrian waiting lines shall be provided with a means of shade.

SECTION 440 PRINCIPAL WASTE HANDLING FACILITIES

- 440.1. Within the (I) Zone, principal waste handling facilities are permitted by conditional use, subject to the following criteria:
- 440.2. All principal waste handling facilities for “municipal and residual wastes,” as defined by the PA DEP, shall be operated by the Lancaster County Solid Waste Management Authority;

- 440.3. Any processing and/or treatment of waste (including but not limited to incineration, composting, steaming, shredding, compaction, material separation, refuse derived fuel, pyrolysis, etc.) shall be conducted within a wholly-enclosed building;
- 440.4. No waste shall be deposited, stored or disposed of, and no building or structure shall be located, within two hundred feet (200) of any property line, and five hundred (500) feet of any land within a residential zone;
- 440.5. Any external area used for the unloading, transfer, storage, or deposition of waste must be completely screened from view at the property line. (The use of an earthen berm is encouraged where practicable.) In addition, such areas must also be completely enclosed by an eight (8) foot high fence, with no openings greater than two (2) inches in any direction;
- 440.6. The applicant must demonstrate compliance (through a written statement) and continue to comply with all applicable State and Federal standards and regulations;
- 440.7. The use shall be screened from all adjoining residentially-zoned properties;
- 440.8. All uses shall provide sufficiently-long stacking lanes into the facility, so that vehicles waiting to be weighed and/or unloaded will not back-up onto public roads;
- 440.9. All access drives onto the site shall be paved for a distance of at least two hundred (200) feet from the street right-of-way line. In addition, if portions of on-site access drives are unpaved, then a fifty (50) foot long gravel section of driveway shall be placed just beyond the preceding two hundred (200) foot paved section to help collect any mud that may have attached to a vehicle's wheels;
- 440.10. Access to the site shall be limited to those posted times when an attendant is on duty. In order to protect against the indiscriminate and unauthorized dumping, all areas of the site shall be protected by locked barricades, fences, gates or other positive means designed to deny access to the area at unauthorized times or locations;
- 440.11. Litter control shall be exercised to prevent the scattering of wind-borne debris, and a working plan for the cleanup of litter shall be submitted to the Township;
- 440.12. The unloading, processing, treatment, transfer, and disposal of waste shall be continuously supervised by a qualified facility operator;
- 440.13. Any waste that is to be recycled shall be stored in leak- and vector-proof containers. Such containers shall be designed to prevent their being carried by wind or water. These containers shall be stored within a completely enclosed building;

- 440.14. All storage of waste shall be indoors in a manner that is leak- and vector- proof. During normal operation, no more waste shall be stored on the property than is needed to keep the facility in constant operation; but, in no event for more than seventy-two (72) hours, with the exception of recyclables;
- 440.15. A contingency plan for the disposal of waste during a facility shutdown, shall be submitted to the Township;
- 440.16. Leachate from the waste shall be disposed of in a manner in compliance with any applicable State and Federal laws or regulations. If leachate is to be discharged to a municipal sewage facility, pre-treatment shall be required and appropriate permits shall be obtained from the applicable agencies and authorities. In no event shall leachate be disposed of in a storm sewer, to the ground, or in any other manner inconsistent with the Department of Environmental Protection's regulations;
- 440.17. All structures shall be set back from adjoining property lines at least a distance equal to their height;
- 440.18. The applicant shall provide a qualified water feasibility study, as described in Section 326 of this Ordinance;
- 440.19. The applicant shall provide a qualified traffic analysis, as described in Section 320 of this Ordinance;
- 440.20. A minimum one hundred (100) foot wide landscape strip shall be located along all property lines. No structures, storage, parking, or any other related activity or operation shall be permitted within this landscape strip;
- 440.21. The applicant shall furnish expert testimony regarding emergency preparedness measures provided and/or otherwise available to respond to potential hazards regarding the spill of waste materials during transport to and from the site, and potential hazards regarding firefighting of waste materials upon the site;
- 440.22. No principal waste handling facility shall be located within one (1) mile of another, as measured in a straight line between closest property lines; and,
- 440.23. The applicant shall comply with the regulations set forth in Section 319 of this Ordinance.

SECTION 441 PRIVATE CLUBS

- 441.1. Within the (A and VC) Zones, the conversion of buildings that existed on the effective date of this Ordinance to private clubs shall be permitted by special exception, subject to the following:
- 441.2. No exterior modification to the building (except for fire escapes) shall be permitted;
- 441.3. The site shall front on and have vehicular access to a collector or arterial road as listed in Section 315 of this Ordinance;
- 441.4. Off-street parking shall be provided in the rear or side yards and shall be screened from adjoining roads and properties; and,
- 441.5. One sign shall be permitted not exceeding ten (10) square feet in total sign area.

SECTION 442 PRIVATE SCHOOLS

- 442.1. Within the (VC) Zone, public and private schools (excluding vocational and mechanical trade schools) are permitted by conditional use, subject to the following criteria:
- 442.2. All height, area, setback, and coverage standards within the underlying zone shall apply;
- 442.3. All off-street parking lots shall be set back twenty-five (25) feet and screened from adjoining property lines;
- 442.4. All buildings shall be set back at least one hundred (100) feet from any adjoining land within a residential zone;
- 442.5. If education is offered below the college level, an outdoor play area shall be provided, at a rate of sixty-five (65) square feet per individual enrolled. Off-street parking lots shall not be used as outdoor play areas. Outdoor play areas shall not be located within the front yard and must be set back twenty-five (25) feet from all property lines. Outdoor play areas shall be completely enclosed by a minimum four (4) foot high fence and screened from adjoining residentially-zoned properties. Any vegetative materials located within the outdoor play area shall be of a non-harmful type (poisonous, thorny, allergenic, etc.). All outdoor play areas must provide a means of shade such a shade tree(s) or pavilion(s);

Enrollment shall be defined as the largest number of students on the site at any one time during a seven (7) day period; and,
- 442.6. Passenger “drop-off” and “pick-up” areas shall be provided and arranged so that students do not have to cross traffic lanes on or adjacent to the site.

SECTION 443 PRIVATE TAKE-OFF/LANDING AREA

- 443.1. Within the (A) Zone, private landing areas are permitted by special exception, subject to the following:
- 443.2. No part of the take-off/landing area shall be located nearer than three hundred (300) feet from any property line;
- 443.3. The applicant shall furnish evidence of a valid license from the Pennsylvania Department of Transportation, Bureau of Aviation, prior to the approval of the conditional use application; and,
- 443.4. Minimum Lot Area: Ten (10) acres.

SECTION 444 PUBLIC USES

- 444.1. Within the (A) Zone, public uses are permitted by special exception, subject to the following standards:
- 444.2. The applicant must demonstrate that the proposed location within an (A) Zone is necessary for public service and convenience and that the use cannot be supplied with equal effectiveness, if located elsewhere; and,
- 444.3. The applicant must demonstrate that the amount of land within the proposed use is the minimum necessary to effectively serve the use and comply with all applicable standards of Section 201; or,
- 444.4. That the land within the proposed use is not Class I, II, or III prime agricultural soils, as delineated by the latest version of the *USDA Lancaster County Soil Survey*.

SECTION 445 PUBLIC UTILITY STRUCTURES

- 445.1. Within the (A, RR, VR, R-1, VC, HC, RC, and I) Zones, public utility structures are permitted by conditional use, subject to the following criteria:
- 445.2. A public utility structure or building shall not be permitted to be located within three hundred (300) feet of any adjoining property line, and five hundred (500) feet from any residential property line;
- 445.3. Any public utility structure providing public sewage disposal and/or treatment, excluding alternative wastewater systems, shall be located within direct proximity of the Pequea Creek to facilitate wastewater stream discharge;
- 445.4. There shall be no outdoor storage of materials processed, used or generated by the operation;

- 445.5. The applicant shall explain the scope of the operation, and offer expert testimony regarding the measures used to mitigate problems associated with noise and fumes;
- 445.6. The applicant must demonstrate that the proposed location of any public utility structure is necessary for public service and convenience and that the use cannot be supplied with equal effectiveness, if located elsewhere;
- 445.7. That the land within the proposed use, if located in the (A) Zone, is not Class I, II, or III agricultural soils, as delineated by the latest version of the *USDA Lancaster County Soil Survey*;
- 445.8. The applicant must demonstrate that the amount of land within the proposed use is the minimum necessary to serve the use;
- 445.9. Any external area used for the unloading, transfer, storage, or deposition of materials must be completely screened from view at the property line. (The use of an earthen berm is encouraged where practical.) In addition, such areas must also be completely enclosed by an eight (8) foot high fence, with no openings greater than two (2) inches in any direction;
- 445.10. The applicant must demonstrate compliance (through a written statement) and continue to comply with all applicable State and Federal standards and regulations;
- 445.11. The use shall be screened from all residentially-zoned properties; and,
- 445.12. The applicant shall provide a qualified water feasibility study, as described in Section 326 of this Ordinance.

SECTION 446 QUARRIES AND OTHER EXTRACTIVE-RELATED USES

- 446.1. Within the (A) Zone, quarries and other extractive-related uses are permitted by conditional use, subject to the following criteria:
- 446.2. General - Quarry Operations
1. May not substantially injure or detract from the lawful existing or permitted use of neighboring properties;
 2. May not adversely affect any public or private water supply source;
 3. May not adversely affect the logical, efficient, and economical extensions of public services, facilities and utilities throughout the Township;
 4. May not create any significant damage to the health, safety, or welfare of the Township and its residents and property owners;

5. May not result in the land area subject to quarrying being placed in a condition which will prevent the use of that land for economically and ecologically productive uses upon completion of the quarry operation;
6. Must demonstrate compliance with all applicable State regulations at all times; and,
7. Shall demonstrate compliance with the regulations set forth in Section 319 of this Ordinance.

446.3. Site Plan Requirements - As a part of each application the applicant shall furnish an accurately surveyed site plan on a scale no less than 1:2400, showing the location of the tract or tracts of land to be affected by the operation. The surveyed site plan shall be certified by a registered professional engineer or a registered professional land surveyor with assistance from experts in related fields and shall include the following:

1. The boundaries of the proposed land affected, together with the drainage area above and below the area;
2. The location and names of all streams, roads, railroads, and utility lines on or immediately adjacent to the area;
3. The location of all buildings within one thousand (1,000) feet of the outer perimeter of the area affected, and the names and addresses of the owners and present occupants;
4. The purpose for which each building is used; and,
5. The name of the owner of the affected area and the names of adjacent landowners, the municipality, and the county;

446.4. Minimum Lot Area - Fifty (50) acres;

446.5. Fencing - A fence measuring at least eight (8) feet in height must enclose the area of actual quarrying. If a chain link fence is used, then said fence shall include a vegetative screen that is provided along the outside of the fence, away from the quarry;

- 446.6. Setback - The following table identifies minimum setbacks imposed upon specific features of the quarry and other extractive-related uses from adjoining and/or nearby uses:

Quarry-Related Feature	Existing Residence	Existing Non-Residential Building	Residential Zone	Adjoining Road	Public/Non-profit Park	Cemetery or Stream Bank	Adjoining Property
Stock piles or spoil piles	300 ft.	300 ft.	1,000 ft.	100 ft.	300 ft.	100 ft.	100 ft.
Mineral processing equipment (e.g., crushers, sorters, conveyors, dryers, etc.)	300 ft.	300 ft.	1,000 ft.	100 ft.	300 ft.	100 ft.	100 ft.
Quarry pit	300 ft.	300 ft.	1,000 ft.	100 ft.	300 ft.	100 ft.	100 ft.
On-site access roads and off-street parking, loading and vehicle storage and weighing facilities	300 ft.	300 ft.	500 ft.	100 ft.	300 ft.	100 ft.	100 ft.
Other operational equipment, structures and/or improvements	300 ft.	300 ft.	500 ft.	100 ft.	300 ft.	100 ft.	100 ft.

- 446.7. Access - Vehicular access shall be so arranged as to minimize danger and congestion along adjoining roads and to avoid the creation of nuisances to nearby properties. Access drives used by trucks shall only intersect with collector or arterial roads.

1. All access drives shall be designed and located so as to permit the following minimum sight distances measured from a point at least ten (10) feet behind the curb line or edge of cartway of an intersecting public street. No sight obstructions shall be permitted which are greater than three (3) feet or less than ten (10) feet above the street surface;

Speed Limitation on a Public Street	Required Sight Distance
25 mph	240 ft.
30 mph	275 ft.
35 mph	315 ft.
40 mph	350 ft.
45 mph	425 ft.
50 mph	475 ft.
55 mph	550 ft.

2. All access drives serving the site shall have a paved minimum thirty-five (35) foot wide cartway for a distance of at least two hundred (200) feet from the intersecting street right-of-way line. In addition, a fifty (50) foot-long gravel section of access drive should be placed just beyond the preceding two-hundred (200) foot paved section to help collect any mud that may have attached to a vehicle's wheels; and,
 3. In general, access drives shall intersect public streets at ninety degrees (90") as site conditions permit, however in no case shall access drives intersect public streets at less than seventy degrees (70"). Said angle shall be measured from the centerline of the street to the centerline of the access drive;
- 446.8. Traffic Impact - The applicant shall furnish a traffic study prepared by a professional traffic engineer, as outlined in Section 321 of this Ordinance;
- 446.9. The applicant shall provide a qualified water feasibility analysis, as described in Section 326 of this Ordinance;
- 446.10. Reclamation - The applicant shall demonstrate compliance with Section 7.(c) of the Pennsylvania Act No. 1984-219, as may be amended. The applicant shall provide a detailed description of the proposed use of the site, once reclamation has been completed, including a description of any zoning and/or subdivision approvals or remedies that would be necessary to accommodate the proposed use. Finally, the applicant shall provide written notification to the Township within thirty (30) days, whenever a change in the reclamation plan is proposed to the PA DEP;
- 446.11. Screening - Where the proposed use adjoins a residential zone, an existing residence and/or a public road, screening shall be provided. Such screening shall be comprised of an earthen berm at least ten (10) feet in height. Such berm shall be located on the quarry site and placed so as to maximize the berm's ability to absorb and/or block views of and/or noise, dust, smoke, etc., generated by the proposed use. The berm shall be completely covered and maintained in an approved vegetative ground cover. In addition, a landscape screen shall consist of evergreen shrubs and trees arranged to form both a low level and a high level screen within a strip of land with a minimum width of ten (10) feet. The high level screen shall consist of evergreen trees of not less than five (5) feet in height at the time of planting that shall be planted at intervals of not more than ten (10) feet. The low level screen shall consist of evergreen shrubs of not less than three (3) feet in height at the time of planting that shall be planted at intervals of not more than five (5) feet. The landscape screen shall be permanently maintained;

- 446.12. Operations Progress Report - Within ninety (90) days after commencement of surface mining operations, and each year thereafter, the operator shall file an operations progress report with the Zoning Officer setting forth all of the following:
1. The name or number of the operation;
 2. The location of the operation with reference to the nearest public road;
 3. A description of the tract or tracts, including a site plan showing the location of all improvements, stockpile, quarry pits, etc.;
 4. The name and address of the landowner or his duly authorized representative;
 5. An annual report of the type and quantity of mineral produced;
 6. The current status of the reclamation work performed in pursuance of the approved reclamation plan;
 7. A maintenance report for the site that verifies that all required fencing, berming and screening has been specifically inspected for needed repairs and/or maintenance and that such needed repairs and/or maintenance has been performed; and,
 8. Verification that the proposed use continues to comply with all applicable State regulations. The operation shall furnish copies of any approved permits and/or any notices of violation issued by the PA DEP.

SECTION 447 RECYCLING FACILITIES FOR PAPER, PLASTIC, GLASS, AND METAL PRODUCTS

- 447.1. Within the (I) Zone, recycling of paper, glass and metal products is permitted by conditional use, subject to the following criteria:
- 447.2. All operations, including collection shall be conducted within one (1) or more completely enclosed buildings;
- 447.3. There shall be no outdoor storage of materials processed, used or generated by the operation;
- 447.4. The applicant shall explain the scope of operation, and comply with the regulations set forth in Section 319 of this Ordinance.
- 447.5. The applicant will be required to assure regular maintenance of the site to immediately collect stray debris; and,
- 447.6. The operation shall continuously comply with all applicable State and Federal regulations.

SECTION 448 RETAIL SALE AND/OR RENTAL OF GOODS

- 448.1. Within the (VC) Zone, the retail sale and/or rental of goods are permitted by special exception, subject to the following criteria:
- 448.2. Retail sale and/or rental businesses shall comprise less than one thousand (1,000) square feet;
- 448.3. Retail sale and/or rental of goods shall be limited to the following items:
1. Card, stationery, magazine, book, or newspaper shops (excluding adult-related uses);
 2. Prerecorded music, video, or spoken word products (excluding adult-related uses);
 3. Wine and cheese shops;
 4. Sporting goods stores;
 5. Musical instrument shops;
 6. Tobacco and smoking accessories supplies;
 7. Photographic, video, audio, and electronic components and accessories;
 8. Clothing and shoe boutiques;
 9. Flower, balloon and gift shops;
 10. Jewelry, watches and clocks;
 11. Art and drafting supplies and studios;
 12. Computers, software and other office supplies;
 13. Craft supplies; baskets, fabrics, and other notions;
 14. Toy and hobby stores;
 15. Telephone, vacuum cleaner and other small domestic appliance centers;
 16. Prosthetic devices;
 17. Perfumes, soaps, lotions, powders, and similar items;
 18. Draperies, paint and wallpaper showrooms;
 19. Bed and bath supplies;

- 20. Kitchenware, cookware and dinnerware;
 - 21. Eyeglass and hearing aid showrooms and offices;
 - 22. Drugstores;
 - 23. Specialty food stores and grocerettes, excluding automobile filling facilities; and,
 - 24. Religious articles and artifacts;
- 448.4. The applicant shall furnish evidence of an approved means of sewage disposal and water supply;
- 448.5. All parking/loading areas shall be located within the side or rear yards, shall be set back at least five (5) feet from adjoining lots, and shall be screened from adjoining residential lots and streets; and,
- 448.6. The use may erect one (1) sign which shall not exceed nine (9) square feet in size and shall be set back no less than ten (10) feet from all lot lines.

SECTION 449 SAWMILLS

- 449.1. Within the (A) Zone, sawmills are permitted by conditional use, subject to the following requirements:
- 449.2. Vehicular access to the sawmill shall be via a minimum twelve (12) foot wide access drive that includes a fifty (50) foot paved apron adjacent to the street, beyond which the access drive can have a stone surface;
- 449.3. All aspects of the sawmill operation (except access drives) shall be set back no less than two hundred (200) feet from all property lines, and five hundred (500) feet from any residentially-zoned property; and,
- 449.4. All sawmill by-products shall be routinely disposed of.

SECTION 450 SPENT MUSHROOM COMPOST PROCESSING AND/OR COMMERCIAL MUSHROOM OPERATIONS

- 450.1. Within the (A) Zone, spent mushroom compost processing and/or commercial mushroom operations are permitted by conditional use, subject to the following criteria:
- 450.2. Any processing, loading, storage, and packaging operations must be conducted within a completely enclosed building that is leak- and vector-proof;

- 450.3. The applicant must demonstrate compliance (through a written statement) and continue to comply with all applicable State and Federal standards and regulations;
- 450.4. The use shall be screened from all roads and adjoining properties;
- 450.5. All uses shall provide sufficiently-long stacking lanes into the facility, so that vehicles waiting to be weighed or loaded/unloaded will not back-up onto public roads;
- 450.6. All driveways onto the site must be paved for a distance of at least one hundred (100) feet from the street right-of-way line. In addition, a fifty (50) foot long gravel section of driveway shall be placed just beyond the preceding one hundred (100) foot paved section to help collect any mud that may have attached to a vehicle's wheels;
- 450.7. The unloading, processing and transfer, of septage and spent mushroom compost shall be continuously supervised by a qualified facility operator;
- 450.8. Any leachate shall be disposed of in a manner in compliance with any applicable State and Federal laws or regulations. If leachate is to be discharged to a municipal sewage facility, appropriate permits shall be obtained from the applicable agencies and authorities. In no event shall leachate be disposed of in a storm sewer, to the ground, or in any other manner inconsistent with the PA DEP regulations;
- 450.9. The applicant shall provide a qualified water feasibility study, as described in Section 326 of this Ordinance;
- 450.10. A minimum one hundred (100) foot wide buffer strip shall be located along all property lines. No structures, storage, parking, or any other related activity or operation shall be permitted within this buffer strip;
- 450.11. The applicant shall provide an analysis of the physical conditions of the primary road system serving the proposed use. The analysis shall include information on the current traffic flows on this road system, and projections of traffic generated by the proposed use. Improvements to the road shall be provided by the applicant to insure safe turning movements to and from the site and safe through-movement on the existing road; and,
- 450.12. Any structure used for the storage, loading, processing and/or packaging of septage and spent mushroom compost shall be set back at least three hundred (300) feet from all property lines, and five hundred (500) feet from any residentially-zoned properties. In addition, any ventilation outlets must be oriented away from any land within a residential zone.

SECTION 451 SHOOTING RANGES

- 451.1. Within the (A) Zone, a shooting range is permitted by conditional use, subject to the following criteria:
- 451.2. Shooting Range Operations:
1. May not substantially injure or detract from the lawful existing or permitted use of neighboring properties;
 2. May not substantially damage the health, safety or welfare of the Township or its residents and property owners;
 3. Must comply with all applicable State and local laws, rules and regulations regarding the discharge of a firearm;
 4. Shall limit the storage of ammunition to only that utilized for each day's activity, and in no event shall ammunition remain on the property for greater than twenty-four (24) hours. The storage of live ammunition may only occur indoors in an area secured from general access;
 5. Shall limit the number of shooters to the number of firing points or stations identified on the development plan;
 6. Shall require all shooters to satisfactorily complete an orientation safety program given in accordance with the National Rifle Association or show a valid hunting license before they are allowed to discharge firearms; and,
 7. Shall limit firing to the hours between one (1) hour after dawn and one (1) hour preceding dusk;
- 451.3. A development plan shall identify the Safety Fan for each firing range. The Safety Fan shall include the area necessary 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, or other safety barriers to contain projectiles to the Safety Fan;
- 451.4. The firing range, including the entire Safety Fan, shall be enclosed with a six (6) foot high non-climbable fence to prevent unauthorized entry into the area. Range caution signs with eight (8) inch tall, red letters on a white background shall be posted at a maximum of one hundred (100) foot intervals around the range perimeter. Signs shall read "SHOOTING RANGE AREA. KEEP OUT!";
- 451.5. Range flags shall be displayed during all shooting activities. Range flags shall be located in a manner visible from entrance drives, target areas, range floor, and the perimeter of the Safety Fan;

- 451.6. All surfaces located within the Safety Fan, including the backstop, overhead baffles, berms, and range floor, shall be free of hardened surfaces, such as rocks or other ricochet-producing materials;
- 451.7. All shooting range facilities, including buildings, parking, firing range, and Safety Fan shall be set back a minimum of one hundred (100) feet from the property line and street right-of-way;
- 451.8. Sound abatement shields or barriers shall be installed on shooting ranges located within one quarter (1/4) mile of a residential zone, unless significant natural barriers exist. The applicant shall present credible evidence that the sounds of shooting in the residential zone do not exceed the ambient noise level;
- 451.9. Off-street parking facilities shall be provided with a ratio of one and one-half (1½) spaces per firing station, but not less than one (1) space for each four (4) seats; and,
- 451.10. No part of a shooting range property shall be located within one-quarter (1/4) mile of any land within a residential zone.

SECTION 452 SHOPPING CENTERS

- 452.1. Within the (HC and RC) Zones, shopping centers may be permitted by conditional use, subject to the following:
- 452.2. The subject property shall front on an arterial or collector road, and all access drives shall be set back at least two hundred (200) feet from the intersection of any street right-of-way lines;
- 452.3. Minimum Lot Size - Three (3) acres;
- 452.4. Minimum Lot Width - Two hundred (200) feet;
- 452.5. A minimum of 5.5 off-street parking spaces shall be provided for each one thousand (1,000) square feet of gross leasable floor area. This parking requirement is also subject to the permitted reduction described in Section 311.3.3. of this Ordinance;
- 452.6. Both public sewer and public water shall be utilized;
- 452.7. Maximum Lot Coverage - Seventy percent (70%);
- 452.8. A traffic study shall be submitted by the applicant, in accordance with Section 321 of this Ordinance; and,

- 452.9. The shopping center shall be permitted to erect one (1) planned center sign along each of the center's frontages. At least fifty percent (50%) of the total sign area shall be devoted to advertisement of the shopping center's name. The size of such sign shall not exceed one (1) square foot for each four (4) feet of frontage contained within the shopping center. In no case shall a planned center sign exceed a maximum size of one hundred (100) square feet nor an overall height of twenty (20) feet. In addition, individual uses within the shopping center may have signs; however, such signs shall be flat wall, wall projecting, or roof signs as described in Section 314.2.2. of this Ordinance.

SECTION 453 SINGLE-FAMILY DETACHED NON-FARM DWELLINGS

- 453.1. Within the (A) Zone, single-family detached nonfarm dwellings on separate lots are permitted by conditional use, subject to the following criteria:
- 453.2. In addition to the design requirements imposed upon single-family detached dwellings in Section 201 of this Ordinance, every single-family detached dwelling unit (not farm dwellings) proposed within the Agricultural Zone shall be set back according to the following chart. Required setback distances shall be measured as a straight line between the closest property line of the proposed dwelling to the specified use.

Specified Use	Required Setback
Facilities or area for the storage or processing of manure, garbage, or septage and spent mushroom compost; structures for the cultivation of mushrooms, or the housing of livestock or poultry	300 feet
Beehives	100 feet
Farm-related Businesses	200 feet
Farm Occupations	100 feet

- 453.3. In reviewing an application and site plan for this special exception, the applicant shall demonstrate that measures have been used to:
1. Minimize the loss of valuable farmland;
 2. Cluster this lot with other residential lots on the subject property and, if applicable, with those lots contained on adjoining farms;
 3. Minimize the length of property lines, excluding those property lines along the driveways of flag lots, shared by all residential lots and adjoining farms;

4. Assure adequate vehicular access to future residences not currently proposed;
5. Assure that the proposed plan can comply with the Subdivision and Land Development Ordinance (Rev. 3/2016);
6. Minimize the clearing or cutting of mature trees and hedge rows.

The applicant shall furnish evidence regarding how these objectives have been satisfied;

- 453.4. On any separate nonfarm parcel, no tree shall be planted within thirty (30) feet of any land used for agricultural purposes;
- 453.5. The applicant shall be required to submit a statement that he/she has read and understands Section 201 of this Ordinance; and,
- 453.6. Any accessory use customarily incidental to a residential use would be permitted at any time once the property is approved for a nonfarm residential use in the Agricultural Zone.

SECTION 454 TRUCK OR MOTOR FREIGHT TERMINALS

- 454.1. Within the (I) Zone, truck or motor freight terminals are permitted by conditional use, subject to the following criteria:
- 454.2. Access shall be via an arterial road;
- 454.3. The applicant shall furnish a traffic study prepared by a professional traffic engineer, in accordance with Section 321 of this Ordinance; and,
- 454.4. The applicant shall demonstrate compliance with the regulations set forth in Section 319 of this Ordinance.

SECTION 455 TWO-FAMILY CONVERSIONS

- 455.1. Within the (RR, VR, R-1, VC, RC and RH) Zones, two-family conversions are permitted by special exception, subject to the following: (Rev. 6/11)
- 455.2. Only single-family detached dwellings that contained at least three thousand (3,000) square feet on the effective date of this Ordinance, may be converted into two (2) dwelling units;
- 455.3. The applicant shall furnish evidence that an approved system of water supply and sewage disposal will be utilized;
- 455.4. No extensions or modifications to the external appearance of the building (except fire escapes) which would alter its residential character, shall be permitted;

- 455.5. All dwelling units shall have direct means of escape to ground level;
- 455.6. Four (4) off-street parking spaces shall be provided;
- 455.7. The applicant shall obtain any required land development approvals; and,
- 455.8. The owner of the property must reside in one of the two units.

SECTION 456 Removed in entirety 11/2011

SECTION 457 Removed in entirety 11/2011

**SECTION 458 WAREHOUSING AND WHOLESALE TRADE
ESTABLISHMENTS**

- 458.1. Within the (I) Zone, warehousing and wholesale trade establishments are permitted by conditional use, subject to the following criteria:
- 458.2. The applicant shall provide a detailed description of the proposed use in each of the following topics:
 - 1. The nature of the on-site activities and operations, the types of materials 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. In addition, the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations;
 - 2. The general scale of the operation, in terms of its market area, specific floor space requirements for each activity, the total number of employees on each shift, and an overall needed site size;
 - 3. The applicant shall demonstrate compliance with the regulations set forth in Section 319 of this Ordinance.
 - 4. A traffic study prepared by a professional traffic engineer, according to Section 321 of this Ordinance.

SECTION 459 SHORT TERM RENTALS (Inserted 6/20)

- 459.1. Short term rentals shall meet all the following requirements:
- 459.2. No more than one short term rental unit may be located on a lot. A bed and breakfast shall be considered one short term rental unit even if individual rooms in the bed and breakfast are rented to different guests. A short term rental which is

not a bed and breakfast shall be rented as a single unit. Multiple short term rental units shall not be permitted in a single structure.

- 459.3. The owner of the short-term rental unit shall be the owner of the lot which contains the short-term rental unit. The owner of the short-term rental unit shall either reside on the lot which contains the short-term rental unit or shall reside on a contiguous lot of which he/she is the title owner. The ownership of the lot containing the short-term rental unit and ownership of the contiguous lot if the owner does not reside on the lot containing the short-term rental unit shall be identical. No application for a short-term rental unit where the owner lives on a contiguous lot shall be complete without copies of recorded deeds for the lot containing the short-term rental unit and the contiguous lot which demonstrate that the ownership of both lots is identical at the time the application is filed. (Revised 9/5/23)
- 459.4. The short term rental unit shall be located within a principal or accessory structure that legally existed on January 1, 2020. No addition to a structure existing on January 1, 2020 shall be permitted to create the short term rental unit. Any alteration to a structure that existed on January 1, 2020, for the purpose of establishing a short term rental unit shall be limited to items set forth in this Section 459 or to alterations to address accessibility, fire and life safety, or UCC requirements. No modifications to the external appearance of the structure (except fire escapes) which would alter its residential character shall be permitted.
- 459.5. Short term rental units connected to on-lot sewage disposal systems shall be subject to review and approval by the Strasburg Township Sewage Enforcement Officer.
- 459.6. The applicant for a special exception shall demonstrate that the short term rental unit contains or meets the following:
1. Smoke detector in each bedroom.
 2. Smoke detector outside each bedroom in the common hallway.
 3. Smoke detector on each floor, including attic and basement.
 4. GFI outlet required if an outlet located within six feet of water source.
 5. Metal exhaust from dryer (if dryer provided).
 6. Carbon monoxide detector if fossil fuel appliances or furnace is installed.
 7. Carbon monoxide detector if garage is attached to unit.
 8. Fire extinguisher in kitchen mounted in conspicuous location with a current charging tag.
 9. Indoor and outdoor stairs in good condition with handrails.
 10. All outlets and switches shall be properly covered.
 11. Fully functional bathing and toilet facilities.
 12. Fully functional kitchen if the short term rental is not a bed and breakfast bedroom.

13. A placard shall be erected showing the floor plan to the front door exit. The placard shall be posted on the interior side of the front exit door or in an alternate location approved by the Zoning Officer.

459.7. The applicant shall prepare and present to the Zoning Hearing Board a notice which shall be prominently and continuously posted in the short term rental unit which shall contain all of the following information:

1. The name of the owner of the short term rental unit and a telephone number at which that party or a contact person designated in accordance with 459.7.8. may be reached on a 24 hour basis.
2. The 911 address of the property.
3. The maximum number of occupants permitted to stay in the short term rental. No more than two (2) persons per bedroom plus two (2) additional persons shall be permitted in the short term rental unit.
4. The maximum number of vehicles allowed to be parked on the lot and the requirement that parking is not permitted in any public road right-of-way.
5. Notification that trash and refuse shall not be left or stored on the exterior of the structure except in secure, watertight metal or plastic cans designed for such storage with a limit of three (3) containers.
6. Notification that an occupant may be cited and fined for creating a disturbance or for violating other provisions of applicable Township Ordinances.
7. Notification that the occupants complete a manifest identifying the occupants.
8. Identification of the local contact person and an alternate local contact person who each shall have access and authority to assume management of the short term rental unit and take remedial measures, together with a telephone number for each. The local contact person and alternate contact person shall be located within 15 miles of the short term rental unit. An owner may designate himself/herself as the local contact person. If the special exception is approved, the local contact person or alternate local contact person shall respond to the Township or to a police officer within one (1) hour after being notified by such official of the existence of a violation of this Ordinance or any disturbance requiring immediate remedy or abatement. If the local contact person is not the owner, the local contact person shall immediately advise the owner of any notification of violation. The owner may change the local contact person or alternate local contact person only after written notice to the Zoning Officer providing the name, address and telephone number of the new local contact person or alternate local contact person, and any new local contact person or alternate local contact person shall meet all requirements of this subsection.

459.8. If the special exception is granted, the applicant shall provide the Zoning Officer with confirmation that the applicant has taken all action required to

register with the Lancaster County Treasurer to enable the applicant to pay the hotel and/or room taxes imposed by Lancaster County. The Zoning Officer shall not issue a certificate of occupancy for the short term rental unit until the applicant presents such confirmation of registration.

- 459.9. A short term rental unit may be rented only to a person 21 years of age or older.
- 459.10. The owner shall use his/her best efforts to assure that the occupants of the short term rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of Township Ordinances or any state law pertaining to noise or disorderly conduct by notifying occupants of the rules regarding short term rental units and responding when notified that occupants are violating laws regarding their occupancy.
- 459.11. The owner shall, upon notification that the occupants of the short term rental unit have created unreasonable noise or disturbances, engaged in disorderly conduct or violated provisions of the Township Ordinances or state law pertaining to noise or disorderly conduct or littering, promptly use his/her best effort to prevent recurrence of such conduct by those occupants or guests.
- 459.12. The owner of the short term rental unit shall pay a fee to defray the cost of response by the Zoning Officer if the Zoning Officer has to respond to a complaint that the occupants of the short term rental unit have created unreasonable noise or disturbances, engaged in disorderly conduct or violated provisions of Township Ordinances or state law pertaining to noise or disorderly conduct or littering and determines that the activity alleged in the complaint occurred at the short term rental unit. The Zoning Officer shall forward a report of the Zoning Officer's investigation to the owner of the short term rental unit and the Board of Supervisors. Such report shall also include the time the Zoning Officer was required to devote to the complaint. The Township shall bill the owner of the short term rental unit for the time incurred in accordance with the then-current hourly rate for services of the Zoning Office. Notwithstanding the foregoing, a response by police or emergency services which falls within the protection of Act 200 of 2014 shall not be considered a complaint for which an owner is subject to a fee.
- 459.13. The short term rental unit shall be inspected by the Zoning Officer prior to the issuance of a permit to verify compliance with the requirements of this Ordinance. The short term rental unit shall be inspected every three (3) years commencing on the date of the initial short term rental permit prior to the yearly permit issuance.
- 459.14. The owner of the short term rental unit shall submit an application each year for a permit to authorize continued operation of the short term rental unit, accompanied by any fee which the Board of Supervisors may establish by resolution. The application shall require that the owner provide sufficient

information for the Zoning Officer to confirm the name and contact information for the local contact person and alternate local contact person, confirm that all short term rental units meet the life and safety requirements of this Section as verified per the required inspection schedule, confirm the required notice posting, confirm that any fees billed under §459.12 have been paid and confirm that the short term rental unit meets all other applicable Township Ordinances. If the Zoning Officer confirms that the short term rental unit meets such requirements, the Zoning Officer may issue a permit to authorize continued operation of the short term rental unit for a one year period. The failure to obtain a permit within 60 days of the expiration date of such permit shall require the owner to reapply to the Zoning Hearing Board to obtain special exception approval for the continued operation of a short term rental unit. The operation of the short term rental unit without the required annual permit is a violation of this Ordinance.

