

TOWNSHIP OF STRASBURG

Lancaster County, Pennsylvania

ORDINANCE NO. 99

AN ORDINANCE TO AMEND THE STRASBURG TOWNSHIP ZONING ORDINANCE TO REPEAL FLOODPLAIN REGULATIONS AND TO REVISE REFERENCES TO THE LANCASTER COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.

BE AND IT IS HEREBY ORDAINED AND ENACTED by Board of Supervisors of the Township of Strasburg, Lancaster County, Pennsylvania, as follows:

Section 1. The Strasburg Township Zoning Ordinance, Article 1, Background Provisions, Section 108, Establishment of Zones, to delete "Floodplain Zone (FP)".

Section 2. The Strasburg Township Zoning Ordinance, Article 1, Background Provisions, Section 112, Definitions, Subsection C, Specific Words and Phrases, to delete the definitions of the terms "Applicable Storm Water Management Regulations", "Applicable Subdivision and Land Development Ordinance", "Base Flood", "Base Flood Elevation", "Flood", "Floodproof", "Floodway", "Flood Elevation", "Maximum Flood Elevation", "One Hundred (100) Year Flood", "One Hundred (100) Year Flood Boundary", "One Hundred (100) Year Flood Elevation" and "Regulatory Flood Elevation".

Section 3. The Strasburg Township Zoning Ordinance, Article 1, Background Provisions, Section 112, Definitions, Subsection C, Specific Words and Phrases, to add or amend following definitions in alphabetical order:

FLAGPOLE – A narrow extension of property on a lot from the buildable area of the lot to the public street right-of-way. The flagpole is not considered part of the lot area but serves as access to the lot.

FLOODPLAIN ORDINANCE – The Strasburg Township Floodplain Ordinance, as amended and as may be amended in the future.

HAZARDOUS MATERIAL – Materials which have the potential to damage health, endanger human life or impair safety. Hazardous materials include, but are not limited to, inorganic mineral acids or sulphur, fluorine, nitrogen, chromium, phosphorus, selenium, and

arsenic and their common salts; lead, nickel and mercury and their inorganic salts or metallo-organic derivatives; coal tar acids, such as phenols and cresols, and their salts; petroleum products; and radioactive material.

LOT AREA – The area contained within the property lines of individual parcels of land, excluding any area within a street right-of-way but including the area of any easement. The lot area does not include the flagpole of a flag lot.

LOT DEPTH – The horizontal distance measured between the street right-of-way line and the closest rear property line. On corner and reverse frontage lots, the depth shall be measured from the street right-of-way line of the street of address to the directly opposite property line. On flag lots, the depth shall be measured from the terminus of the flagpole at the flag portion of the lot to the property line directly opposite the street of address.

LOT WIDTH – The horizontal distance measured between side property lines. On corner lots, lot width shall be measured between the right-of-way line for the non-address street and the directly opposite property line. On flag lots, lot width shall be measured between the side property lines of the flag portion of the lot. Unless otherwise noted, lot width shall be measured at the building setback line and the street frontage.

MOBILE HOME – Any structure intended for or capable of permanent human habitation, with or without wheels, and capable of being transported or towed from one place to the next, in one or more pieces, by whatsoever name or title it is colloquially or commercially known, but excluding transport trucks or vans equipped with sleeping space for a driver or drivers, and travel trailers. Mobile homes placed in parks shall meet the requirements for mobile home parks listed in Section 435. Mobile Homes placed on individual lots shall be considered “dwellings” and be bound by the requirements there imposed.

STORM WATER MANAGEMENT ORDINANCE – The Strasburg Township Storm Water Management Ordinance, as amended and as may be amended in the future.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE – The Strasburg Township Subdivision and Land Development Ordinance, as amended and as may be amended in the future.

YARD – An area between the permitted structures and property lines.

* * *

Yard, Rear: The area contained between the rear property line and the principal structure. On corner, flag and reverse frontage lots, the rear yard shall be considered the area between the principal structure and the property line directly opposite the street of address.

Section 4. The Strasburg Township Zoning Ordinance, Article 2, Zone Regulations, Section

201, Agricultural Zone (A), Subsection 201.4, Conditional Uses, Paragraph 12, shall be amended to provide as follows:

12. Subdivision of a lot for and/or erection of a single-family detached nonfarm dwelling (see Section 453).

Section 5. The Strasburg Township Zoning Ordinance, Article 2, Zone Regulations, Section 201, Agricultural Zone (A), Subsection 201.5, Maximum Number of Permitted New Dwellings or Lots, Paragraph 1, shall be amended as follows:

For each parent tract there shall be permitted the subdivision of one (1) lot (which shall specifically include, but not be limited to, a subdivision to create a farm or farms and a subdivision to change lot lines or a "lot add-on" subdivision which removes land from the parent tract to add land to another lot) or the erection of one (1) single family dwelling or other principal non- agricultural building on the parent tract, but not both, with the portion of the existing or newly created lot used for residential purposes limited to the maximum lot size set forth in Section 201.6, for each fifty (50) acres held on July 17, 1995, or if the parent tract was not classified as Agricultural Zone (A) on July 17, 1995, on the date when such land was first included in the Agricultural Zone (A) after July 17, 1995. A tabular example of the limitation on the creation of lots or the erection of dwellings is as follows:

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Section 6. The Strasburg Township Zoning Ordinance, Article 2, Zone Regulations, Section 202, Rural Residential Zone (RR), Subsection 202.12, Flag Lots, shall be amended by deleting Paragraphs 3 and 4 and revising Paragraph 2 to provide as follows:

2. All flag lots shall comply with the applicable regulations of the Subdivision and Land Development Ordinance.

Section 7. The Strasburg Township Zoning Ordinance, Article 2, Zone Regulations, shall be amended to delete Section 209, Floodplain Zone (FP), in its entirety.

Section 8. The Strasburg Township Zoning Ordinance, Article 3, General Provisions, Sections 307, Erection of More than One Principal Use on a Lot, and Section 308, Required Vehicular Access, shall be retitled and amended to provide as follows:

SECTION 307. ESTABLISHMENT OF MORE THAN ONE PRINCIPAL USE ON A LOT.

More than one principal use may be established on a single lot, provided that all lot and yard requirements, standards, and other requirements of this ordinance shall be met for each structure as though it were on an individual lot. In addition, such proposals shall gain approval for any required subdivision and land development plan and shall provide individually approved methods of sewage disposal.

SECTION 308. REQUIRED VEHICULAR ACCESS.

Every building hereafter erected or moved shall be on a lot adjacent to or with approved access to a public street or a private street improved to meet the requirements of the Subdivision and Land Development Ordinance. The erection of buildings without approved access shall not be permitted. Access to lots containing farms or one or two single family dwellings shall be via driveways (see Section 309); access to lots containing other uses, including three or more single family dwellings shall be via access drives (See Section 310). For all other lots requiring a subdivision or land development plan, approved access is defined by the Subdivision and Land Development Ordinance.

Section 9. The Strasburg Township Zoning Ordinance, Article 3, General Provisions, Section 309, Driveway Requirements (Single-Family Dwelling), Subsection 309.1, Paragraph 12, shall be amended by deleting the phrase "the Lancaster County Planning Commission or PennDOT" and inserting in its place the phrase "the Subdivision and Land Development Ordinance, Driveway Ordinance, or PennDOT."

Section 10. The Strasburg Township Zoning Ordinance, Article 3, General Provisions, Section 310, Access Drive Requirements (Non-Single-Family Dwelling), shall be amended by deleting the phrase "Section 602 of the Lancaster County Subdivision and Land Development Ordinance" and inserting in its place the phrase "the Subdivision and Land Development Ordinance and Driveway Ordinance."

Section 11. The Strasburg Township Zoning Ordinance, Article 3, General Provisions, Section 311, Off-Street Parking Requirements, Section 311.3.1.C shall be amended by deleting the phrase "Section 607 of the Lancaster County Subdivision and Land Development Ordinance" and inserting in its place the phrase "the Storm Water Management Ordinance."

Section 12. The Strasburg Township Zoning Ordinance, Article 3, General Provisions, Section 311, Off-Street Parking Requirements, Section 311.3.1.D shall be amended by deleting the phrase "Appendix 10 of the Lancaster County Subdivision and Land Development Ordinance" and inserting in its place the phrase "the Subdivision and Land Development Ordinance."

Section 13. The Strasburg Township Zoning Ordinance, Article 3, General Provisions, Section 311, Off-Street Parking Requirements, Section 311.3.2.B shall be amended by deleting the phrase "Section 603.03 of the Lancaster County Subdivision and Land Development Ordinance" and inserting in its place the phrase "Subdivision and Land Development Ordinance."

Section 14. The Strasburg Township Zoning Ordinance, Article 3, General Provisions, Section 311, Off-Street Parking Requirements, Section 311.3.1.D shall be amended by deleting the phrase "Appendix 10 of the Lancaster County Subdivision and Land Development Ordinance" and inserting in its place the phrase "the Subdivision and Land Development Ordinance."

Section 15. The Strasburg Township Zoning Ordinance, Article 3, General Provisions, Section 319, Operational and Performance Standards, Subsection 319.3, Glare from On-Site

Lighting Sources, Paragraph 2, shall be amended to provide as follows:

2. Applicability and Guidelines. An application for a permit shall include documentation that the intended use will not employ an outdoor lighting source(s) that emits an intensity in excess of 0.0 horizontal footcandle at the edge of the lot line when adjacent to a residentially zoned lot or an existing residential lot. All lights used to illuminate such use shall be arranged as to direct the light away from all adjoining properties.

Section 16. The Strasburg Township Zoning Ordinance, Article 3, General Provisions, Section 321, Traffic Impact Study, Section 321.2.13, shall be amended by deleting the phrase "the Lancaster County Planning Commission" and inserting in its place the phrase "the Township".

Section 17. The Strasburg Township Zoning Ordinance, Article 3, General Provisions, Section 321, Traffic Impact Study, Section 321.2.15.E, shall be amended by deleting the phrase "Lancaster County Planning Commission" and inserting in its place the phrase "Board of Supervisors".

Section 18. The Strasburg Township Zoning Ordinance, Article 3, General Provisions, Section 324, Well Drilling Requirements, Subsection 324.2.4 shall be amended by deleting the phrase "the Township Zoning Officer and the Lancaster County Planning Commission" and inserting in its place the phrase "the Township Zoning Officer."

Section 19. The Strasburg Township Zoning Ordinance, Article 3, General Provisions, Section 324, Well Drilling Requirements, Subsection 324.2.6 shall be amended by deleting the sentence "The Zoning Officer will require these results before transmitting the Letter of Notification to the Lancaster County Planning Commission."

Section 20. The Strasburg Township Zoning Ordinance, Article 3, General Provisions, Section 324, Well Drilling Requirements, Subsection 324.2.7 shall be amended to provide as follows:

7. It is recommended, but not required, that prior to the drilling of the well the applicant shall consult with the Township Planning Commission for a pre-application review of a sketch plan for the proposed subdivision to determine its consistency with the requirements of the Subdivision and Land Development Ordinance.

Section 21. The Strasburg Township Zoning Ordinance, Article 4, Specific Criteria, Section 424, Golf Courses, Subsection 424.3.1.E, shall be amended by deleting the phrase "Section 602.10 of the Lancaster County Subdivision and Land Development Ordinance" and inserting in its place the phrase "the Subdivision and Land Development Ordinance".

Section 22. The Strasburg Township Zoning Ordinance, Article 3, General Provisions, Section 453, Single-Family Detached Nonfarm Dwellings, Section 453.3.5, shall be amended by deleting the phrase "the applicable Subdivision and Land Development Ordinance" and inserting in its place the phrase "the Subdivision and Land Development Ordinance".

Section 23. The Strasburg Township Zoning Ordinance, Article 6, Zoning Hearing Board, Section 604, Board's Functions, Subsection 604.3, Paragraph 2, Subparagraph J, shall be amended to provide as follows:

- J. For development within the identified floodplain area established in the Floodplain Ordinance, the application shall comply with all requirements of the Floodplain Ordinance.

Section 24. The Strasburg Township Zoning Ordinance, Article 6, Zoning Hearing Board, Section 604, Subsection 604.4, Variances, Paragraph 2, Subparagraph F, shall be amended to provide as follows:

- F. That any variances within the identified floodplain area established in the Floodplain Ordinance shall comply with all provisions of the Floodplain Ordinance; and

Section 25. The Strasburg Township Zoning Ordinance, Article 6, Zoning Hearing Board, Section 604, Subsection 604.6, shall be amended to provide as follows:

Appeals from a determination by the Township Engineer, Floodplain Administrator, or the Zoning Officer with respect to the administration of any provisions contained within the Floodplain Ordinance.

Section 26. The Strasburg Township Zoning Ordinance, Article 7, Administration, Section 700 Administration, Subsection 700.1, Administration, Paragraphs 2.G and H shall be amended to provide as follows:

- G. If the Zoning Officer is appointed Floodplain Administrator under the Floodplain Ordinance, to have all powers and authorities and to perform all functions established in the Floodplain Ordinance.
- H. Reserved.

Section 27. The Strasburg Township Zoning Ordinance, Article 7, Administration, Part 701, Permits, Subsection 701.1, General Requirements for Permits, Paragraph 5, shall be amended to provide as follows:

- 5. Applications for zoning permits shall demonstrate that the applicant has received all necessary approvals required under the Subdivision and Land Development Ordinance and Storm Water Management Ordinance including, but not limited to, recording plans and posting financial security.

Section 28. The Strasburg Township Zoning Ordinance, Article 7, Administration, Part 701, Permits, Subsection 701.2, Filing Requirements, Paragraph 2, shall be amended by deleting the phrase "the Floodplain Zone" and inserting in its place the phrase "the identified floodplain area

determined in accordance with the Floodplain Ordinance.

Section 29. The Strasburg Township Zoning Ordinance, Article 7, Section 704, Conditional Uses, Subsection 704.2, General Criteria, Paragraph 5, shall be amended to provide as follows:

5. For development within the identified floodplain area established in accordance with the Floodplain Ordinance, that the application complies with all requirements of the Floodplain Ordinance;

Section 30. All other sections, parts and provisions of the Zoning Ordinance of the Township of Strasburg shall remain in full force and effect as previously enacted and amended.

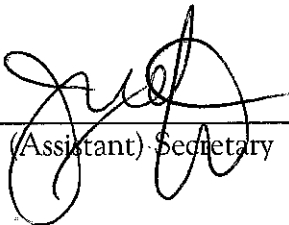
Section 31. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of Board of Supervisors that the remainder of the Ordinance shall be and shall remain in full force and effect.

Section 32. This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of the Township of Strasburg as provided by law.


DULY ORDAINED AND ENACTED this 7th day of March, 2016, by Board of Supervisors of the Township of Strasburg, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF STRASBURG
Lancaster County, Pennsylvania

Attest:


(Assistant) Secretary

By:


(Vice) Chairman
Board of Supervisors

[TOWNSHIP SEAL]

