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Zoning Ordinance

Manheim Township, Lancaster County, PA



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Adopted: February 10, 2014,
as amended



THOMAS COMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

ZONING ORDINANCE OF MANHEIM TOWNSHIP 2014



Revised 4/28/2014 by Ordinance 2014-06
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FEBRUARY 10, 2014, as amended

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ARTICLE I. GENERAL PROVISIONS

SECTION 101. TITLE

This ordinance shall be known and may be cited as the "Zoning Ordinance of Manheim Township 2014, as amended."

SECTION 102. PURPOSE

This ordinance is enacted to reflect the policy goals of Manheim Township, as set forth in the Manheim Township Comprehensive Plan and Growing Together: A Comprehensive Plan for Central Lancaster County, with consideration for the character of the Township, its various parts, and the suitability of the various parts for particular uses. This ordinance is enacted for the following purposes:

1. To promote, protect, and facilitate the public health, safety, morals, and the general welfare; coordinated and practical community development and proper density of population; emergency management preparedness and operations; the provision of adequate light and air; access to incident solar energy; police protection; vehicle parking and loading space; transportation; water; sewerage; schools; recreational facilities; public grounds; the provision of a safe, reliable and adequate water supply for domestic, commercial, agricultural, or industrial use; and other public requirements; as well as preservation of the natural, scenic, and historic values in the environment and preservation of forests, wetlands, aquifers, and floodplains.
2. To prevent overcrowding of land; blight; overburdening of public improvements and facilities; and loss of health, life, or property from fire, flood, panic, or other dangers.
3. To promote safe and adequate travel and transportation facilities and controls.
4. To preserve prime agriculture and farmland, considering topography, soil type and classification, and present use.
5. To provide for the use of land within the Township for residential housing of various dwelling types encompassing all basic forms of housing.
6. To accommodate reasonable overall community growth, including population and employment growth, and opportunities for development of a variety of residential dwelling types and nonresidential uses.

ARTICLE II. INTERPRETATION

SECTION 201. CONSTRUCTION OF PROVISIONS

In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience, and general welfare. Where the provisions of this ordinance impose greater restrictions than those of any statute, other ordinance or regulation, the provisions of this ordinance shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this ordinance, the provisions of such statute, other ordinance or regulation shall be controlling. This ordinance is not intended to interfere with, abrogate, or annul any easement, covenant, or other agreement between private parties. However, where this ordinance imposes greater restrictions than those imposed by any such easement, covenant, or agreement, the provisions of this ordinance shall govern.

ARTICLE III. APPLICABILITY

SECTION 301. CONFORMITY WITH APPLICABLE PROVISIONS

The provisions, regulations, limitations, and restrictions of this ordinance shall apply to all structures, buildings, and/or land and their appurtenant and accessory structures and buildings and accessory additions and shall apply with equal force to municipal, county, state, and private buildings, structures, and/or land which are otherwise specifically provided for by statute. Nonconforming signs shall be in accordance with Section 1808.

1. Conformity of existing structures, buildings, and/or land. From and after the effective date of this ordinance, any existing structure, building, land, and/or premises shall not be reconstructed, altered, repaired, extended, replaced, restored, or converted, except in conformity with the regulations hereto specified for the zoning district in which it is located or intended to be located.
2. Conformity of proposed structures, buildings, and/or land. From and after the effective date of this ordinance, any proposed structure, building, or portion thereof shall not be erected, constructed, or placed and any proposed structure, building, land, and/or premises shall not be used or occupied so as to produce greater heights, smaller yards, or less unoccupied area or greater occupancy than prescribed for such structure, building, land, and/or premises in the zoning district in which it is located or intended to be located or except in conformity with the regulations herein specified in the zoning district, as shown on the Zoning Map, in which it is located or intended to be located.
3. Conformity of open spaces. From and after the effective date of this ordinance, any yard or open space, or part thereof, shall not be included as a part of the yard or open space similarly required for any other building or structure under this ordinance.
4. Existing nonconformity. From and after the effective date of this ordinance, any existing structure, building, and/or land or any existing use of a structure, building, and/or land not in conformity with the regulations, limitations, restrictions, and provisions herein prescribed shall be regarded as nonconforming, but may be continued in such nonconformity subject to the following limitations:
 - A. Continuation. Any lawful use of buildings, structures, or lands existing at the effective date of this ordinance, or authorized by a building permit issued prior thereto, may be continued in its existing condition, although such use does not conform to the provisions of this ordinance.
 - B. Expansion. No expansion of a nonconforming structure, building or use shall hereafter be made unless written application has been filed with the Zoning Hearing Board, and such expansion has been approved as a special exception subject to the following standards and criteria and those contained in Section 2805.2 of this ordinance:

- (1) The expansion of the nonconforming use shall be limited to an area equal to 25% of the floor area of buildings devoted to the nonconforming use as they existed on the date on which such use first became nonconforming.
- (2) Any expansion of a nonconforming use or structure shall be limited to the lot of record upon which the nonconforming use or structure existed on the date the use of the structure became nonconforming.
- (3) The expansion of nonconforming uses shall comply with the provisions for building height, yard setback, and lot coverage required for permitted uses in the district in which the nonconformity in question is located.
- (4) The expansion shall not create new dimensional nonconformities or further increase existing dimensional nonconformities.

C. **Damage or destruction.** A nonconforming structure or building which is damaged or destroyed may be rebuilt and occupied for the same use as before the damage after obtaining appropriate permits pursuant to Section 2703 of this ordinance and provided that:

- (1) The damage or destruction is unintentional or, if intentional, with the appropriate permit from the Township and all other applicable agencies.
- (2) The previous foundation is to be used for restoration.
- (3) The reconstructed structure or building shall not be larger than the damaged structure.
- (4) The reconstruction shall start within one year from the time of damage to the structure or building.
- (5) The repair of a nonconforming structure or building shall not cause the structure to create further expansion in a nonconforming dimension or aspect.

D. **Discontinuance and abandonment.** If a nonconforming use is discontinued for a period of more than one year, then this shall be deemed to be an intent to abandon such use. No nonconforming use may be reestablished after it has been determined to have been discontinued and abandoned. Any subsequent use shall conform to the regulations of this ordinance.

E. **Change of nonconforming use.** Upon written application, the Zoning Hearing Board, by special exception, may permit the substitution of another nonconforming use in accordance with the following criteria and limitations:

- (1) The proposed use to be substituted shall be:
 - [a] Permitted by right, by special exception, or by conditional use in a district in which the existing nonconforming use would be a permitted use; or

- [b] Permitted by right, special exception or conditional use in a more restrictive zoning district than the existing nonconforming use would be permitted.
 - (2) The proposed use shall not generate more traffic than the existing nonconforming use.
 - (3) The proposed use, if commercial or industrial in nature, shall not have longer hours of operation than the existing nonconforming use.
 - (4) The proposed use shall not generate higher levels of noise, smoke, or glare off the property than the existing nonconforming use.
 - (5) The proposed use shall not be more detrimental to the neighboring properties and uses than the existing nonconforming use.
 - (6) The Zoning Hearing Board may attach any reasonable conditions.
- F. Previously expanded nonconforming uses, buildings and structures. If a building, structure, or land was expanded to the limits of expansion for a nonconforming building, structure, or use of land as authorized by a prior zoning regulation or ordinance, no further expansion of said building, structure, or land shall be authorized. In the event a nonconforming building, structure, or use of land was expanded to a portion of the limits of expansion authorized by a prior zoning regulation or ordinance, additional expansion, if permitted by this, shall only be authorized to the amount of expansion not previously utilized pursuant to said prior zoning regulation or ordinance.
- G. Dimensional nonconformity.
- (1) Applicability. A structure which is nonconforming as to setbacks or lot area may be expanded in accordance with the requirements of Section 301.4.G.(2) herein. Only structures which are used for a permitted use in the district in which the structure is located shall be permitted to expand in accordance with this section.
 - (2) Expansion limitations. Structures or buildings which are dimensionally nonconforming may be expanded in accordance with the following regulations:
 - [a] A structure or building which is located within the required front yard area of the district in which it is located is permitted to expand, provided that the expanded part of the structure will not extend nearer to the street than the part of the existing structure which is nearest to the street and that the minimum side yard and rear yard areas of the district are met.

[b] A structure or building which is located within the required rear yard area of the district in which it is located is permitted to expand, provided that the expanded part of the structure will not extend nearer to the rear property line than that part of the existing structure which is nearest to the property line and that the minimum side yard and front yard areas of the district are met.

[c] A structure or building which is located within a required side yard area of the district in which it is located is permitted to expand, provided that the expanded part of the structure will not extend nearer to the side property line than that part of the existing structure which is nearest to the side property line and that the minimum front yard, rear yard and other side yard areas of the district are met.

(3) Restoration of a dimensionally nonconforming structure or building. A dimensionally nonconforming structure which is unintentionally destroyed or damaged may be rebuilt and occupied in accordance with the regulations set forth in Section 301.4.C. herein.

H. Substitution of a conforming use. Any use which complies with the regulations for the district in which the nonconforming use is located may be substituted for the nonconforming use. Once a conforming use is established, no nonconforming use shall be permitted in the future. If a nonconforming use is proposed to be eliminated and a conforming use substituted but certain regulations cannot be met (such as area, yard, etc.), the Zoning Hearing Board, upon written application, may grant a special exception to permit such conforming use, with such appropriate conditions and safeguards as the Board may see fit.

SECTION 302. NON-SPECIFIED USES

Where a use is not specifically permitted, it shall be assumed to be prohibited, unless, in the opinion of the Zoning Officer, upon review and approval by the Zoning Hearing Board, it shall be considered to be of the same general character as the uses permitted in the specific zoning district.

ARTICLE IV. ZONING DISTRICTS

SECTION 401. ESTABLISHMENT OF DISTRICTS

1. The Township is hereby divided into the following 12 districts:

- Agricultural District A
- Residential District R-1
- Residential District R-2
- Residential District R-3
- Institutional District IN
- Business District B-1
- Business District B-2
- Business District B-3
- Business District B-4
- Industrial District I-1
- Industrial District I-2
- Industrial District I-3

2. In addition, the following nine overlay areas shall apply:

- T-1 Natural Resource Overlay
- T-4 Urban Neighborhoods Overlay
- T-5 Neffsville Village Overlay
- T-5 Oregon Village Overlay
- T-6 Urban Transition Overlay
- D-R Retrofit Overlay
- D-A Airport Overlay
- D-C Corridor Overlay
- Historic Overlay

SECTION 402. DISTRICT BOUNDARIES

The boundaries of the zoning districts are hereby established as shown on the Manheim Township Zoning Map, which is made a part hereof by reference.

1. Interpretation of district boundary lines. The district boundary lines shall be as shown on the Zoning Map. Such lines are intended to coincide with property lines, center lines of streets, utility rights-of-way, bodies of water, or the corporate boundary of the Township, unless the contrary is indicated on the Zoning Map. In case of dispute, the Zoning Hearing Board shall determine the exact location of the district boundaries.
2. District regulations apply to school, parks, and other public uses. Public parks, playgrounds, cemeteries, public utilities, street rights-of-way, or other public uses shall be subject to the zoning regulations of the zoning district in which they are located. In case of doubt, the zoning regulations of the most restricted adjoining zoning district shall govern.

3. Vacation of public ways. Whenever any street, alley, or other public way is vacated in the manner authorized by law, the zoning district adjoining each side of such street, alley, or public way shall be automatically extended to the center of such vacation, and all area included in the vacation shall then and henceforth be subject to all regulations of the extended zoning districts.

SECTION 403. ZONING MAP

The official Manheim Township Zoning Map shall be filed in the Township office. This map shall be the final determination of all questions relative to the boundaries of the zoning districts. As evidence of the authenticity of the map, it shall be duly certified by the Township Manager-Secretary. Whenever said Zoning Map is amended, the same form of authentication shall be duly followed.

ARTICLE V. TERMINOLOGY (Amended by Ordinance 2016-06, dated 3/28/2016; Ordinance 2016-18, dated 9/26/2016; Ordinance 2020-03, dated 01/13/2020; and Ordinance 2023-01, dated 1/10/2023)

SECTION 501. WORD USAGE

Words not herein defined shall take on the meanings as defined in the latest edition of the Merriam-Webster Collegiate Dictionary. Words and phrases shall be presumed to be used in their ordinary context, unless such word or phrase is defined differently within this article.

SECTION 502. INTERPRETATION

In this ordinance, when not inconsistent with the context:

1. Words in the present tense imply also the future tense.
2. The singular includes the plural.
3. The male gender includes the female gender.
4. The word "person" includes a natural person, partnership, firm, association, corporation, organization, trust, estate, company, or any other legally recognized entity as well as an individual and the officers of any corporation and the members of any partnership and shall include both singular and plural.
5. The term "shall" or "must" is always mandatory; the word may is discretionary.
6. References to codes, ordinances, resolutions, plans, maps, governmental bodies, commissions, agencies, or officials are to codes, ordinances, resolutions, plans, maps, governmental bodies, commissions or agencies or officials of the Township or the Commonwealth of Pennsylvania as in effect or office from time to time, including amendments thereto or revisions or successors thereof, unless the text indicates another reference is intended.
7. Terms not defined in this Ordinance, in such other ordinances, or in § 107 of the MPC shall have the meaning assigned to them in the most recent edition of Merriam-Webster's Collegiate Dictionary.

SECTION 503. DEFINITIONS

The following words and phrases shall have the particular meanings assigned by this section in the appropriate sections of this ordinance:

ACCESS - A way or means of approach for vehicle and/or pedestrian traffic from a street, right-of-way, public area or community facility to a lot.

ACCESS DRIVE - A private access providing pedestrian and vehicular access between a public or private street and a parking area(s) within a nonresidential land development, and any driveway servicing three or more units of occupancy on a single lot or contiguous lots. The access drive is not intended to include any portion of the travel lane abutting parking areas.

ADAPTIVE REUSE - The rehabilitation of an historic building for residential and nonresidential uses in accordance with the provisions of Article XXIII.

ADULT BOOKSTORE - An establishment having, as a substantial and significant portion of its stock-in-trade, books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, or an establishment with a segment or section devoted to the sale or display of such publications.

ADULT ESTABLISHMENT - An adult bookstore, adult mini motion-picture theater, adult motion-picture theater, adult novelty store, adult theater, or a massage establishment.

ADULT MINI MOTION-PICTURE THEATER - An enclosed building with a capacity of less than 50 persons used for presenting motion pictures, a preponderance of which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specific anatomical areas, for observation by patrons therein.

ADULT MOTION-PICTURE THEATER - An enclosed building with a capacity of 50 or more persons used for presenting motion pictures, a preponderance of which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, for observation by patrons therein.

ADULT NOVELTY STORE - An establishment having, as a substantial and significant portion of its stock-in-trade, sexually oriented devices, or an establishment with a segment or section devoted to the sale or display of such devices.

ADULT THEATER - An establishment featuring live performances on a regular basis which are distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas.

AGRIBUSINESS STRUCTURE - Structures for housing more than 25 head of livestock, poultry houses for housing more than 500 birds, and structures for growing mushrooms.

AGRICULTURAL COMPOSTING - A process by which organic solid waste is biologically decomposed under a controlled anaerobic or aerobic environment to yield a soil-like product. Agricultural composting uses primarily manure, but may use yard waste and food scraps, as well as newspaper or corrugated paper or cardboard, as well as the materials permitted by the DEP for composting material. The composted material from an agricultural composting operation may be sold or otherwise distributed as a soil supplement, fertilizer, mulch or similar product.

AGRICULTURAL COMPOSTING FACILITY - The portion of any property dedicated to agricultural composting.

AGRICULTURAL OPERATION - An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural, hydroponic and aquacultural crops and commodities. The term

includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

AGRICULTURE – The use of land for tilling of the soil, raising of crops, dairying, pasturage, horticulture, floriculture, hydroponics, aquaculture, forestry, viticulture and animal and poultry husbandry including the sale of crops, agricultural, dairy, horticultural, hydroponic and aquaculture farm products incidental to the operation of a farm and the necessary accessory uses for packing, treating or storing the produce and equipment for housing and feeding the animals and housing the equipment. The use of land for a dwelling site is not an agricultural purpose.

AGRITOURISM - The practice of visiting a working farm or any agricultural, horticultural or agribusiness operation for the purpose of enjoyment, education or active participation and involvement in the activities of the farm or enterprise.

AGRITOURISM ENTERPRISE - Activities conducted on and accessory to a working farm and offered to the public or to invited groups for the purpose of recreation, education, or active involvement in the farm operation. These activities must be directly related to agricultural or natural resources and incidental to the primary operation of the farm.

AIRPORT - Any landing area, runway or other facility designated or used or intended to be used, either publicly or by any person or persons, for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings, and open spaces within the airport boundaries.

ALLEY - A minor right-of-way, privately owned, primarily for secondary means of access to the rear or sides of properties.

ALTERATION - A change or rearrangement in the parts of a building or in the existing facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another which would change its use classification, other than an addition.

AMENDMENT - Any revision to a regulation or ordinance that is formally adopted by the governing body charged with the keeping of such regulations, which includes revisions to an ordinance and/or map. Amendments to this ordinance lie solely with the Manheim Township Board of Commissioners.

ANAEROBIC OR MANURE DIGESTER - A facility that recovers and/or recycles nutrients from biomass materials, primarily in the form of livestock and poultry manure. The recovery and/or recycling process generally involves the burning of such materials to produce electricity, heat and water, but may produce products on a commercial scale for resale, including, but not limited to, electricity, various gasses, fuels, fertilizer, animal feed and bulk materials.

ANTENNA - Any exterior apparatus designed for the sending and/or receiving of electromagnetic waves for telephonic, radio, television, or personal wireless services. These uses include, without limitation, such apparatus for cellular or other wireless telephones, pagers and beepers.

APPLICANT - A landowner, as herein defined, or agent of the landowner, who has filed an application for a zoning, building or driveway permit and/or an application for development, including his heirs, successors and assigns.

APPLICATION FOR DEVELOPMENT - Every application, whether preliminary, tentative or final, required to be filed and approved prior to the start of construction or development, including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan. Every application for development must include the form designated by the Township and all other plans and information required by this ordinance.

APPOINTING AUTHORITY - The Board of Commissioners.

APPROVED - Approved by the recognized authoritative agency or official as specified in the respective regulations.

AQUACULTURE - Propagation, cultivation, maintenance, and harvesting of aquatic plants and animals in freshwater. This does not include aquariums or ponds for pets or landscaping purposes.

AREA - The extent of surface contained within the boundaries or extremities of land or a building.

ASSISTED LIVING FACILITY - A facility licensed as a personal care home by the Commonwealth of Pennsylvania Department of Public Welfare in which supervised around-the-clock services and nursing care are provided for four or more individuals who require only intermittent care to maintain the basic needs of daily living.

ATTIC - That part of a building which is immediately below and wholly or partly within the roof framing. Within a dwelling unit, an attic shall not be counted as floor area unless it is constructed as or modified into a habitable room by the inclusion of dormer windows, an average ceiling height of five feet or more, and a permanent stationary interior-access stairway to a lower building story.

AWNING - A structure attached to a building, typically consisting of a frame and covered with fabric or any other material.

BASEMENT - That portion of a building that is partly or completely below grade.

BEEKEEPING - Raising or keeping of bees.

BED-AND-BREAKFAST ESTABLISHMENT - An owner-occupied single-family detached dwelling in which bed-and-breakfast units are provided for compensation on a nightly basis. Meals may be offered only to register overnight guests.

BED-AND-BREAKFAST UNIT - A room within a bed-and-breakfast establishment used as lodging for no more than four persons.

BIKE PATH - A pathway that is exclusively used by bicyclists, where a separate, parallel path is provided for pedestrians and other wheeled users. Most pathways are shared between bicyclists and other users. See "nonmotorized path."

BILLBOARD - See definition in Article XVIII.

BIOMASS - Organic materials derived from living or recently living organisms, such as livestock waste, agricultural crops and residue, wood and wood waste, and organic components of municipal and industrial wastes, which may be used as a source of fuel or energy. The term excludes fossil fuels, which have been transformed by geological processes into substances such as coal or petroleum.

BLOCK - A tract of land bounded by three or more streets.

BOARDINGHOUSE - A building arranged or used for lodging, with or without meals, for compensation, of more than five and not more than 10 individuals that do not constitute a family.

BODY ART ESTABLISHMENT - Any business or portion thereof where tattooing or body piercing is practiced or provided to customers.

BUFFER/BUFFER AREA - An area within a site, generally adjacent to and parallel with the property lines or off-street parking lots, which consists of either existing and preserved vegetation or is created with trees, shrubs, berms and/or fences and is intended to be used as a means of limiting the potentially adverse effects created by a use on adjoining properties, streets and uses.

BUFFER, PERIMETER - The minimum area along the outermost boundaries of a development tract, except along a street yard setback, where a buffer/planting strip may be required. This area is intended to be a greenbelt around the development and free from all impervious surfaces, except for approved driveways, access drives and sidewalks, nonmotorized paths, and fences or freestanding walls.

BUILDING - Any structure used for a resident, business, industry, or other public or private purpose, or accessory thereto, and including covered porches, greenhouses, stables, garages, roadside stands, mobile homes and similar structures, whether stationary or movable, but excluding fences and walls which are part of the landscaping, signs, steps and awnings.

BUILDING, ACCESSORY - A detached subordinate building, the use of which is customarily incidental and subordinate to that of the principal building, and which is located on the same lot as that occupied by the principal building.

BUILDING ADDITION - Any exterior structural enlargement to a building or structure.

BUILDING FOOTPRINT - The total areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of uncovered porches, awnings, steps and patios.

BUILDING, HEIGHT OF - The vertical distance from grade to the top of the highest roof beams of a flat roof or the top of the eave of a hip or gable roof.

BUILDING LENGTH - The horizontal measurement of any continuous building wall, regardless of offsets.

BUILDING LINE - A line formed by the intersection of a horizontal plane and a vertical plane that coincides with the exterior surface of the building on any side. In case of a cantilevered or projected section of a building, except overhanging eaves, gutters and cornices, the vertical plane will coincide with the most projected surface.

BUILDING, MIXED-USE - A building with two or more principal uses, where the uses are typically located one over the other and may include apartments over commercial uses.

BUILDING, PRINCIPAL - A building in which is conducted the principal use of the lot on which the building is located, including any attached structures, such as garages, decks, patios, etc.

BUILDING SETBACK LINE - A line defining the minimum required distance within a lot from and parallel to a street right-of-way line and side and rear lot lines which designates the minimum location of future buildings and structures.

BUILD-TO LINE - See "line, build-to."

CAFE - A public eating place, primarily offering indoor counter service, that has a maximum of 1,000 square feet of gross floor area and maximum of 20 seats, if any.

CALIPER - The diameter of a tree trunk measured in inches, six inches above ground level for trees up to four inches in diameter and measured 12 inches above ground level for trees over four inches in diameter.

CARPORT - An unenclosed structure, which is open on at least two sides, with a permanent floor and roof supported by columns or posts, which is primarily used for the storage of one or more vehicles in the same manner as a private garage. Carports do not open on at least two sides shall be considered a garage.

CARTWAY - The surface of a street, access drive or alley available for vehicular traffic.

CEMETERY - Land used or intended to be used, as an accessory use, for the burial of the deceased, including columbarium's, mausoleums and mortuaries when operated in conjunction with the cemetery and within the boundaries thereof. This definition shall not include crematoria, which shall be considered to be funeral homes.

CERTIFICATE OF USE AND OCCUPANCY - A certificate issued by the Township upon completion of the construction of a new building or upon a change or conversion of the structure or use of a building, which certifies that all requirements and regulations as provided herein and within all other applicable requirements have been complied with.

CO-LOCATION - The use of a common telecommunications tower or common site by two or more wireless communications services.

COMMERCIAL RECREATION FACILITY - An activity operated as a business, open to the public for the purpose of recreation or entertainment, including but not limited to bowling alleys, drive-in motion-picture facilities, swimming pools, health clubs, movie theaters, miniature golf courses, etc. This does not include adult-related uses, as defined herein.

COMMISSIONERS - The Board of Commissioners of Manheim Township, Lancaster County, Pennsylvania.

COMMON OPEN SPACE - A parcel or parcels of land or an area of water, or a combination of land and water, within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.

COMMUNITY CLUB - An organization catering exclusively to members and their guests for social, educational, cultural, civic, recreational and administrative purposes, provided vending stands, merchandising or commercial activities are not conducted except as required for the membership of such club. "Clubs" shall include but not be limited to service and political organizations and labor unions, as well as social clubs. "Community clubs" shall not include adult establishments, as defined herein.

COMMUNITY FACILITY - A building or structure owned and operated by a county or state government agency to provide a governmental service to the public, excluding public parks.

COMPREHENSIVE PLAN - The official Manheim Township public document consisting of maps, charts and textual material that constitutes a policy guide to decisions about the physical and social development of Manheim Township, as amended from time to time.

CONDOMINIUM - A set of individual dwelling units or other areas of buildings, each owned by an individual person(s) in fee simple, with such owners assigned a proportionate interest in the remainder of the real estate, which is designated for common ownership, and which is created under the Pennsylvania Uniform Condominium Act of 1980 or Uniform Planned Community Act of 1996, as amended.

CONFERENCE/EVENT CENTER - A property and/or facility which is utilized to host a variety of business, educational, cultural, and social events, including but not limited to conferences, exhibitions, meetings, seminars, training, cultural events, parties, receptions and galas. Such use may include the provisions, sale and/or consumption of food and/or alcoholic beverages incidental to the above-referenced uses but not as a separate principal use. Additionally, a Conference/Event Center may include any one or more of the following as a

separate, but secondary use of the property and/or facility; a public restaurant, house of worship, a café, and/or commercial recreation facility.

CONTINUING CARE RETIREMENT COMMUNITY (CCRC) - A type of retirement community licensed by the commonwealth that provides a continuum of care from independent living to assisted living to extended care/skilled nursing facilities.

CONTINUOUS VISUAL BUFFER - A visually impenetrable screen created through the installation of plant materials, fencing, walls and/or earthen berms.

CONVENIENCE STORE - A store or shop, less than 10,000 square feet, which may sell items such as food products, groceries, toiletries, lottery tickets, tobacco products, newspapers and magazines, along with a selection of processed food and groceries. Dining areas may be offered and are included in the total floor area, whether located inside or outside the building. Stores that offer gas may also sell motor oil, windshield washer fluid, radiator fluid, and maps. The outdoor sales or dining area shall be a maximum of 600 square feet.

CONVERSION APARTMENT DWELLINGS - Where conversion is made of a building which existed at the date of enactment of the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, as amended and reenacted, 53 P.S. § 10101 et seq., into a duplex dwelling or an apartment dwelling, and where no extension of the existing building, other than as may be required for access or safety, shall be permitted.

CONVERSION OF LARGE NONRESIDENTIAL BUILDING - Where conversion is made of an existing building with a nonresidential use, which is in excess of 10,000 square feet of net floor area, but no larger than 45,000 square feet of net floor area into other nonresidential uses, with expansion permitted pursuant to the performance standards set forth in Article XXV.

COUNTY PLANNING COMMISSION - The Lancaster County Planning Commission.

CROSSWALK

A. That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the roadway, measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway; or

B. Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface

DAY-CARE CENTER - The offering of care or supervision over minors, or adults who require supervision because of mental or physical condition, in lieu of care or supervision by family members. This term is not synonymous with the terms "recreation area" or "commercial recreation facility."

DAY-CARE CENTER, ADULT - A building, or space in a building, and grounds in which, on a regular basis, for a fee, care is provided to adults who are in need of supervision because of their mental or physical condition. It does not include any establishment which provides overnight care or stays of any kind. It does not include establishments which provide overnight stays of any kind.

DAY-CARE CENTER, COMMERCIAL - A day-care facility that is a principal use and is licensed by the Commonwealth of Pennsylvania for the care or supervision of minors or adults. It does not include any establishment which provides overnight care or stays of any kind.

DAY-CARE CENTER, FAMILY MAJOR - A day-care facility that is operated as an accessory use to a detached single-family dwelling that is registered by the Commonwealth of Pennsylvania and offers care and supervision to no more than six children unrelated to the operator during any calendar day.

DAY-CARE CENTER, FAMILY MINOR - A day-care facility that is operated as an accessory use to a detached single-family dwelling that is registered by the Commonwealth of Pennsylvania and offers care and supervision to no more than three children unrelated to the operator during any calendar day.

DECK - A constructed flat surface capable of supporting weight, similar to a floor but constructed outdoors and usually (though not always) connected to a building. A deck shall not be completely enclosed, except for any side which may adjoin a structure or for any fences, walls, shrubs, or hedges. For the purposes of this ordinance, a deck is considered to be an impervious surface and part of the principal building.

DECLARATION OF RESTRICTION OF DEVELOPMENT - A legal document which places restrictions on the amount and type of development which can occur on a tract in the sending area from which transferable development rights have been apportioned and transferred.

DEED OF TRANSFERABLE DEVELOPMENT RIGHTS - A legal document which grants transfer of ownership of transferable development rights and provides for the attachment of the transferable development rights to a specific tract in the receiving area or for transfer of the transferable development rights in gross to the Township.

DENSITY, BASE - The density achieved when a property is developed in accordance with the Subdivision and Land Development Ordinance, and the zoning district requirements without purchase of transferable development rights.

DENSITY, RESIDENTIAL GROSS - The number of dwelling units in relation to the total land area proposed to be used for residential purposes, including but not limited to rights-of-way, interior parking areas, access drives, private streets, sidewalks, common open space, public or semipublic parks and playgrounds and floodplain boundaries.

DENSITY, RESIDENTIAL NET - The number of dwelling units in relation to the area of land of a parcel in use or proposed to be used for residential purposes, exclusive of public rights-of-way and floodplain boundary, except where authorized by Section 2403.3.

DESIGNATED GROWTH AREA - A region within a county or counties described in a municipal or multi-municipal plan that preferably includes and surrounds a city, borough or village, and within which residential and mixed-use development is permitted or planned for at densities of one unit to the acre or more, commercial, industrial and institutional uses are permitted or planned for, and public infrastructure services are provided or planned.

DEVELOPER - Any landowner, agent of such landowner or tenant with the permission of such landowner who makes or causes to be made a subdivision of land or a land development or other activities covered by this ordinance.

DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to buildings, or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

DEVELOPMENT OF REGIONAL SIGNIFICANCE OR IMPACT - Any land development that, because of its character, magnitude, or location, will have a substantial effect upon the health, safety, or welfare of citizens in more than one municipality.

DEVELOPMENT PLAN - The provisions for development, including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space, and public facilities.

DEVELOPMENT RIGHTS - The rights to construct a specified amount of development according to Township land use regulations.

DIMENSIONAL NONCONFORMITY - Any aspect of a land use that does not comply with any size, height, bulk, setback, distance, landscaping, coverage, screening, or other design or performance standard specified by this ordinance, where such dimensional nonconformity lawfully existed prior to the adoption of this ordinance or amendment thereto.

DISTRIBUTION FACILITY - A warehouse or other specialized building, often with refrigeration or air conditioning, which is stocked with products (goods) to be redistributed to retailers, to wholesalers or directly to consumers.

DOMESTIC ANIMALS - Animals that are normally considered to be kept in conjunction with a dwelling for the pleasure of the resident family, rather than for economic reasons. This shall include dogs, cats, small birds, racing pigeons, gerbils, rabbits, lizards and other nonpoisonous animals commonly sold in retail pet shops.

DORMITORY - A building, especially associated with a school or institution, which provides living and sleeping accommodations for a number of students attending such school or institution.

DRIVE-THROUGH SERVICE/FACILITY - A restaurant, bank, drug store or other use that provides service to customers who remain seated in automobiles where customers are served either through an exterior window in the establishment, or directly to parked automobiles on the premises.

DRIVEWAY - An improved private cartway designed and constructed to provide vehicular and pedestrian movement between a public road and a tract of land serving one single-family dwelling unit or a farm.

DRUG STORE, RETAIL - A store in which a licensed on-site pharmacist oversees the sale and dispensing of drugs within the store and/or via drive-through area and also sells over-the-counter drugs, health/beauty aids and/or limited household products and/or food products. The majority of the floor area will be dedicated to the sale and dispensing of drugs and other related pharmaceutical items.

DWELLING - Any building or portion thereof designed and used exclusively for residential occupancy, including those listed below, but not including hospitals, hotels, boardinghouses, rooming and lodging houses, institutional houses, tourists' courts, and the like, offering overnight accommodations for guests or patients. All dwellings must be permanently affixed to a completely enclosed foundation constructed of currently accepted materials that shall be an entire perimeter wall and extend from below the frost line to the first floor of the building. Such foundation shall be constructed to provide sufficient structural integrity to prevent the building from heaving, shifting, or settling unevenly due to frost action. In addition, all dwellings shall be properly connected to approved and permanently designed sewer, water, electrical and other utility systems.

DWELLING, APARTMENT - A dwelling containing three or more dwelling units which may be separated horizontally and/or vertically. This may include but is not limited to apartments and quadruplexes. The individual dwelling units may or may not be in separate ownership; however, the land shall be in single ownership or in common ownership.

DWELLING, ATTACHED DUPLEX - A building containing a minimum of two and a maximum of five duplex dwellings arranged in a side-by-side configuration with one or more vertical party walls.

DWELLING, CARRIAGE HOUSE - A single dwelling located on the second floor above a detached garage and having a maximum of 1000 square feet.

DWELLING, DUPLEX - A dwelling containing two dwelling units, one of which is located above the other.

DWELLING, MULTIPLE-FAMILY - A dwelling containing three or more dwelling units which may be separated horizontally and/or vertically. This may include but is not limited to

apartments and quadruplexes. The individual dwelling units may or may not be in separate ownership; however, the land shall be in single ownership or in common ownership.

DWELLING, SINGLE-FAMILY DETACHED - A freestanding building containing one dwelling unit for one family and having two side yards, one front yard, and one rear yard; in cases where such dwelling is located on a corner lot, the dwelling shall have two front yards, one side yard, and one rear yard. Mobile homes may be considered single-family detached dwellings if, in addition to the requirements listed for all dwellings, the mobile home is securely anchored to the permanent foundation, and all of the apparatus used to transport the unit are removed, including the towing hitch. Recreational vehicles shall not be construed as dwellings. Modular homes may be considered single-family detached dwellings so long as they comply with the general requirements of a dwelling.

DWELLING, SINGLE-FAMILY SEMIDETACHED - A dwelling containing two dwelling units which are attached side by side by the use of a common wall.

DWELLING, TOWNHOUSE - A building containing at least three dwelling units but not more than eight dwelling units arranged in a side-by-side configuration with two or more common party walls and arranged on fee simple lots.

DWELLING UNIT - A single habitable living unit occupied by only one family. See definition of "family." Each dwelling unit shall have its own toilet, bath or shower, sink, sleeping and cooking facilities and separate access to the outside or to a common hallway or balcony that connects to outside access at ground level.

DWELLING UNIT, ACCESSORY - An independent, self-sufficient dwelling unit, with complete kitchen and bath facilities, which is either entirely contained within a single-family dwelling unit and has direct access to the outdoors or which has a common hall with a single-family detached dwelling for occupancy by either an elderly, handicapped, or disabled person related by blood, marriage, or adoption to the occupants of the principal dwelling.

DWELLING UNIT, ZERO LOT LINE - A dwelling type consisting of a single-family detached residence on an individual lot, where such unit, or a portion of such unit, is located along a side lot line, so that the unit has only one side yard. The zero-lot line may be achieved by placing the house, or, in the case of an irregularly shaped lot, a portion of the dwelling unit, on a side lot line and providing a maintenance easement six feet wide on the adjoining lot.

EARTHMOVING ACTIVITY - Any construction or other activity which disturbs the surface of the land, including, but not limited to, excavations, embankments, land development, subdivision development, mineral extraction and the moving, depositing or storing of soil, rock or earth, excluding the tilling of the soil.

EASEMENT - A right-of-way granted for limited use of private land for a public, quasi-public or private purpose, and within which the owner of the property shall not have the right to make use of the land in a manner that violates the right of the grantee.

EDUCATIONAL INSTITUTIONS - An educational program that offers a program of trade, business, technical or artistic instruction. For the purposes of this definition, "trade, technical or artistic instruction" shall be subjects which are not customarily offered in a secondary public-school curriculum. This definition shall include trade, business or vocational schools, as well as colleges and universities.

EMPLOYEES - Whenever "employees" or the expression "number of employees" is herein referred to, it shall mean the greatest number of persons to be employed in the building in question during any season of the year and at any time of the day or night.

ENGINEER - A professional engineer registered in the Commonwealth of Pennsylvania.

EPA - The United States Environmental Protection Agency.

EROSION AND SEDIMENTATION CONTROL PLAN - A plan which is designed to minimize accelerated erosion and sedimentation.

EXCEPTIONAL VALUE WETLAND - Any wetland that meets the definition of "exceptional value wetland" found in 25 Pa. Code § 105.17(1).

EXTENDED CARE FACILITY - A long-term care facility or a distinct part of a facility licensed or approved by the Pennsylvania Department of Health and under federal regulations as a nursing home, infirmary unit of a home for the aged, or a governmental medical institution.

FAA - The Federal Aviation Administration.

FACADE - A building face or wall.

FACADE, PRIMARY - The entire vertical area of the main structure usually fronting or facing the primary public right-of-way.

FACILITY - A structure that is built, installed, or established to serve a particular purpose.

FAMILY - An individual or individuals related by blood, marriage, or adoption that maintain one common household and live within one dwelling unit. Additionally, up to three unrelated individuals who maintain a common household and live within one dwelling unit may be considered a family, excluding group homes.

FARM - Any parcel of land containing ten (10) or more acres which is used for gain in the raising of agricultural products, livestock, poultry or dairy products. It may include necessary farm structures within the limits prescribed herein, and the storage of equipment used for agricultural purposes.

FARM DWELLING - The principal dwelling on a working farm and/or formerly working farm where such dwelling existed as December 10, 1990.

FARMERS MARKET - A periodic market held in an open area, parking lot, or structure as an accessory use to an institutional use, public or semipublic use, or municipal use or supermarket at which fruits, vegetables, breads, eggs, milk, cheese, meat, flowers, and the like are sold to the public by persons who typically grow, harvest, or process such items from their farm or

agricultural operation. Value added products such as jam, beeswax candles or other handmade food products such as baked goods may be sold but sellers of these goods may not comprise the majority of vendors. Flea markets, yard sales and auctions are not considered farmer's market. (Added by Ordinance 2016-06, dated 3/28/2016)

FARM RELATED OCCUPATION – A small business, accessory to the primary agricultural use of a property in which residents engage in a secondary occupation conducted on an active farm and which does not change the character of the property or surrounding area.

FCC - The Federal Communications Commission.

FEEDLOT - An outside confined area designated and used for feeding or holding of more than 25 head of livestock, not including general pasture areas.

FENCE - A man-made barrier placed or arranged as a line of demarcation, an enclosure, or a visual barrier that is constructed of wood, chain-link metal, vinyl or aluminum and/or plastic inserts. This definition does not include man-made barriers or walls constructed principally of masonry, concrete, cinder block or similar materials.

FINANCIAL INSTITUTION - A bank, savings-and-loan association, credit union, finance or loan company, etc.

FLOOD - A general and temporary condition of partial or complete inundation of normally dry land areas from the overland flow of watercourses or other body of surface water, or from the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD-FRINGER - The portion of the floodplain beyond the limits of the floodway.

FLOODPLAIN - An area of land adjacent to the channel of a watercourse which has been or is likely to be flooded, or any area subject to the unusual and rapid accumulation or runoff of surface waters from any source by designation in accordance with the Floodplain Ordinance.

FLOODPLAIN ORDINANCE -The Official Manheim Township Floodplain Ordinance.

FLOODWAY - The channel and adjacent overbank areas through which the primary floodwaters are discharged. This portion of the floodplain is where the highest flood velocities and greatest flood depths usually occur.

FLOOR AREA - The maximum amount of usable space within a building.

FLOOR AREA, GROSS - The sum of the floor areas of usable space within a building as measured from the interior face of walls and including all areas intended and designed for the conduct of a business or use.

FLOOR AREA, NET - The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading.

FOOD SCRAPS - The waste food products taken from supermarkets, grocery stores, food banks, food distribution centers, school cafeterias and similar institutions. Food scraps do not include any wastes of any kind generated by individual residents.

FORESTRY - The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

FUNERAL HOME - A building devoted to the care, embalming, and holding of services for the dead, including the sale of funeral equipment as an incidental part of the business. Funeral homes shall not include cemeteries, columbarium's, mausoleums or entombments, but do include mortuaries and crematoriums as accessory uses.

GARAGE, PRIVATE - An accessory structure for the storage of one or more vehicles and/or other vehicles accessory and incidental to the primary use of the premises; provided, however, that one commercial vehicle of not more than three-quarter ton capacity may be stored therein where the use of such vehicle is not incidental to the use of the premises. No business, occupation or service shall be conducted therein.

GARAGE, PUBLIC - A structure or any portion thereof used for the parking and storage of vehicles owned by the general public.

GARDEN POND - An artificially enclosed body of water or receptacle for water having a depth of less than two feet that may be used or intended to be used as an ornamental feature constructed, installed or maintained in or above the ground. It may include a fountain display, water plants or fish.

GEOHERMAL ENERGY SYSTEM (GEOHERMAL HEAT PUMPS) - An energy-generating system that uses a heat pump in conjunction with the earth's thermal properties to heat and cool buildings. Such systems may be categorized as or include:

A. BOREHOLES - A hole drilled or bored into the earth into which piping is inserted for use in a closed-vertical-loop geothermal system.

B. CLOSED-LOOP GEOHERMAL SYSTEM - A type of geothermal heating and/or cooling system that utilizes a pressurized heat exchanger consisting of pipe, a circulating pump and a water source heat pump in which the heat transfer fluid is not exposed to the atmosphere. The heat transfer fluid is potable or beneficial reuse water and may have approved antifreeze added.

C. OPEN-LOOP GEOHERMAL SYSTEM - A type of geothermal heating and/or cooling system that utilizes a water pump to deliver water from a well or other source to a heat exchanger. The discharge water from the heat exchanger may be returned to the subsurface through an injection or recharge well or infiltration bed or may be discharged into a pond, lake or stream.

GOLF COURSE - A recreational area primarily used for playing golf and which has a minimum of 5,000 yards of play in 18 holes or 2,500 yards in nine holes and which may include accessory facilities such as a driving range, pro shop and/or restaurant.

GOODS - A finished product.

GOVERNING BODY - The Board of Commissioners.

GRADE PLANE - A reference plane representing the average of finished ground level adjoining the building at all exterior walls. When the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, when the lot line is more than six feet (1,829 mm) from the building, between the building and a point six feet (1,829 mm) from the building.

GREEN - A form of common open space which measures 3,000 square feet or larger in area and may include features such as gazebos, sitting walls, pergolas, fountains, benches, landscaping, lighting, sculptures and the like, and in which public seating, gathering, informal recreation and the like takes place.

GREENWAYS - Linear corridors of open space and generally correspond to or link major river or stream corridors (including adjoining floodplain, riparian buffers, and steep slope areas), old railways or ridge tops, and are intended to function as part of an integrated system or network for a variety of purposes, including protecting natural, cultural and scenic resources, providing recreational benefits, enhancing the quality of life in neighborhoods, and stimulating economic development opportunities. A base greenway system for Manheim Township is shown on the Trail & Greenway System Map, Recreation, Park, Greenways, and Open Space Plan (2012-2022) as amended as part of the Manheim Township Comprehensive Parks and Recreation Plan.

GROSS ACRES - The extent of surface area contained within the boundary of a property, including existing public street rights-of-way.

GROUP HOME - A group of handicapped persons, as defined by the Fair Housing Act and the Fair Housing Amendments Act of 1988, as amended, living and cooking together in a single-family detached dwelling operated by a responsible individual, family, or organization with a program to provide a supportive living arrangement for individuals where special care is needed. Group homes must be licensed where required by any appropriate government agencies, and a copy of any such licenses must be delivered to the Township prior to beginning the use. Group homes shall be subject to the same limitations and regulations by the Township as single-family detached dwellings and in accordance with Section 2509.

HISTORIC BUILDING - A building which constitutes an historic resource, and which is identified on the Historic Resources Map.

HISTORIC PRESERVATION TRUST - The Historic Preservation Trust of Lancaster County.

HISTORIC RESOURCE - A building, structure, site, district or object which possesses historical significance based on its architecture or its association with one or more historical events or persons.

HOLIDAY TREE SALES - The offering of holiday trees for sale to the public from a temporary structure or from a location out of doors where goods are not normally displayed as part of a permanent, ongoing retail establishment.

HOME OCCUPATION - A business, profession, occupation, or trade conducted for financial gain or profit and located entirely within a residential dwelling or within a detached private

garage located on a residential lot and in existence on the effective date of this ordinance, which use is accessory, incidental, and secondary to the use of the dwelling for residential purposes and does not change the residential character or appearance of the dwelling or detached garage.

HOMEOWNERS' ASSOCIATION - An organization created by a real estate developer for the purpose of controlling the appearance and managing any common area assets.

HOSPICE CARE FACILITY - A facility that is primarily engaged in providing care, including inpatient care, to terminally ill individuals, is not structurally part of another health care or services facility or hospital, and operates in accordance with 42 Code of Federal Regulations Part 418.

HOSPITAL - A facility, licensed in the Commonwealth of Pennsylvania as a hospital, which renders inpatient and outpatient medical care on a twenty-four-hours-per-day basis and provides primary health services and medical/surgical care to persons suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions. A hospital use can also include attached and detached accessory uses, provided that all accessory uses are contained upon the hospital property.

HOSPITAL, VETERINARY - Any establishment offering veterinary services. Animal hospitals can treat all types of animals and can include overnight boarding of animals for medical or surgical treatment.

HOTEL, FULL-SERVICE - A building or buildings containing rooms designated to be rented temporarily for sleeping purposes by guests, which such facilities may include a full-service kitchen and restaurant facility and meeting and conference facilities for use by the general public.

HOTEL, LIMITED-SERVICE - A building or buildings containing rooms designated to be rented temporarily for sleeping purposes by guests, which such facilities shall not include a full-service kitchen and restaurant facility or meeting and conference facilities for use by the general public but may include incidental kitchen and dining facilities and meeting facilities for use by hotel guests.

HOUSE OF WORSHIP - A building, structure or group of buildings or structures, including accessory uses, designed or intended for worship. This definition shall include a church, chapel, cathedral, synagogue, temple, mosque or other facility that is principally used for prayer by persons of similar beliefs; or a special purpose building that is architecturally designed and particularly adapted for the primary use of conducting formal religious services on a regular basis, and shall include cemeteries as an accessory use.

HOUSEHOLD HAZARDOUSE WASTE - A portion of solid waste that would be considered hazardous under the Pennsylvania Solid Waste Management Act, 35 P.S. § 6018.101 et seq. but for the fact that it is produced in quantities smaller than those regulated as hazardous waste under the Solid Waste Management Act and is generated by persons not otherwise covered as hazardous waste generators by the Solid Waste Management Act.

HYDROPONICS – A method of growing plants without soil by using mineral nutrient solutions in a water solvent.

IMPERVIOUS SURFACE - Any material that covers the land which inhibits the percolation of stormwater directly into the soil, including, but not limited to, buildings, pavement, stone areas and stormwater facilities that discharge stormwater off the site.

IMPROVEMENTS - Physical changes to the land, including, but not limited to, buildings/structures, grading, paving, curbs, gutters, storm sewers and drains, stormwater management facilities, improvements to existing watercourses, sidewalks, streets, signs, monuments, water supply facilities and sewage disposal facilities.

INSTITUTE OF TRANSPORTATION ENGINEERS - The Institute of Transportation Engineers (ITE) is an international educational and scientific association of transportation professionals who are responsible for meeting mobility and safety needs. ITE facilitates the application of technology and scientific principles to research, planning, functional design, implementation, operation, policy development and management for any mode of ground transportation. Through its products and services, ITE promotes professional development of its members, supports and encourages education, stimulates research, develops public awareness programs and serves as a conduit for the exchange of professional information.

INTERMEDIATE CARE FACILITY - A facility which provides, on a regular basis, health related care and services to individuals who do not require the degree of care and treatment which a hospital or skilled nursing facility is designated to provide, but who, because of their mental or physical condition, require care and services (above the level of room and board) which can be made available to them only through institutional facilities such as these.

INVASIVE SPECIES - Plant species that are not native to an area and can cause harm to the environment, to the economy and to human health as identified by the Pennsylvania Department of Conservation and Natural Resources (DCNR).

ITE - See "Institution of Transportation Engineers."

JUNK - Any worn, cast off, discarded or stored material, including unlicensed vehicles, machinery, and equipment, ready for destruction or which has been collected for salvage or conversion to some use.

JUNKYARD - The land or structure, or part thereof, located on more than 200 square feet of lot area, used primarily for the collecting, storage or sale of wastepaper, rags, scrap metal or discarded material or for the collecting, dismantling, storage or salvaging of machinery or vehicles not in running condition and of parts thereof.

KENNEL - Any lot on which more than five animals as specified in Section 2101 that are older than six months (except related to a farm) are kept, boarded, raised, bred, treated or trained for a fee, including, but not limited to, dog or cat kennels. Operations 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 Department of Agriculture.

LANCASTER INTERMUNICIPAL COMMITTEE - The Lancaster Intermunicipal Committee (LIMC) is a council of governments established to address intermunicipal challenges and concerns in central Lancaster County, Pennsylvania. It encourages and facilitates intermunicipal cooperation, undertakes projects that will benefit its member municipalities, and provides a forum for municipal officials to discuss issues of mutual interest.

LAND DEVELOPMENT

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

(1) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

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

B. A subdivision of land.

C. Development in accordance with the following shall be excluded from land development procedures:

(1) The conversion of an existing single-family detached dwelling or single-family semidetached dwelling into not more than three residential units, unless such units are intended to be a condominium.

(2) The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or

(3) The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this subsection, an "Amusement Park" is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.

LANDOWNER - The legal, beneficial or equitable owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any conditions), a lessee, if he is authorized under the lease to exercise the rights of the landowner, or other persons having a proprietary interest in land.

LANDSCAPE ARCHITECT - A landscape architect registered by the Commonwealth of Pennsylvania.

LANDSCAPE SCREEN - A completely planted visual barrier composed of a combination of shrubs, trees or earthen berms arranged to form both a low-level and a high-level screen.

LANDSCAPING - Includes, but is not limited to, grass or ground cover, and other plantings such as trees and shrubs, and may also include mulch and/or decorative stone.

LANDSCAPING STONES - Decorative stones 1/2 inch or larger in diameter placed on a property for landscaping purposes, not including driveways, sidewalks, patios, and/or walkways. Surface area covered by landscaping stones would be considered pervious.

LIMC - See "Lancaster Intermunicipal Committee."

LINEAR TRAIL - A nonmotorized pathway, separated from the road, designed for recreational activities like walking, biking and horseback riding. (See also "nonmotorized paths.")

LINE, BUILDING SETBACK - See "building setback line."

LINE, BUILD-TO - A setback line which dictates the placement of principal buildings and structures, as measured from a front lot line, private street, or public right-of-way. The build-to line does not apply to building projections or recesses.

LINE, FRONT LOT - The line separating such lot from any street or other public right-of-way.

LINE, INTERIOR LOT - Any lot line other than one adjoining a street.

LINE, LOT/PROPERTY - A recorded boundary of a lot forming the front, rear and sides of lots. Any property line which abuts a street or other public right-of-way shall be measured from the right-of-way.

LINE, REAR LOT - That lot line which is opposite and most distant from the front line. But, in the case of corner lots, the owner shall, for the purpose of this ordinance, have the privilege of selecting any lot line other than one of the front lot lines to be the rear lot line, provided that such choice, in the opinion of the Zoning Officer, will not be injurious to the existing or to the desirable future development of adjacent property. The rear lot line of any irregular or triangular lot shall, for the purpose of this ordinance, be a line entirely within the lot, 10 feet long.

LINE, SIDE LOT - Any lot line not a front lot line or a rear lot line.

LIVESTOCK - Any living creature maintained for commercial use or profit, but not maintained as a pet.

LIVE-WORK UNIT - A commercial use, such as a shop, studio, office, or other place of business, in combination with dwelling units located above such place of business. A person or persons other than the proprietor of the business may occupy a live-work unit.

LOADING SPACE - A paved, off-street space logically and conveniently located for the temporary loading or unloading of goods and having direct usable access to a street, access drive or alley. Off-street loading spaces do not count towards off-street parking requirements and shall not infringe on any required buffer planting strip.

LONG-TERM CARE FACILITY - An institution or a distinct part of an institution which is licensed or approved under the Commonwealth Department of Health and Federal Regulations to provide health care and medical supervision for 24 or more consecutive hours to two or more patients. A long-term care facility may be either an extended care facility or an intermediate care facility.

LOT - A parcel of land held in single and separate ownership, occupied or capable of being occupied by buildings, structures, accessory buildings or structures, signs, and uses customarily incidental to it, including such open spaces as required, and which is described by reference on a recorded plat or by metes and bounds.

LOT AREA - The area contained within the property lines of the individual parcels of land.

LOT AREA, GROSS - The total area of a lot that is the subject of an application for land development.

LOT AREA, NET - The area of a lot, excluding any area within a street right-of-way or floodplain, but including the area of any easements.

LOT, CORNER - A parcel of land at the junction of and abutting on two or more intersecting streets. Such lot shall be considered as having as many front yards as there are streets to which it abuts.

LOT COVERAGE - A percentage of the lot area covered by an impervious surface, including buildings, driveways, parking areas, and sidewalks.

LOT DEPTH - The horizontal distance measured between the street right-of-way line and the average rear property line. On 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.

LOT, DOUBLE FRONTAGE - A lot with front and rear street frontage with possible vehicular access to both streets. Double frontage lots shall have two front yards and two side yards.

LOT, FLAG - A lot not fronting on or abutting a public road and where access to the public road is by a narrow, private right-of-way.

LOT, FRONTAGE OF - Distance measured along the front lot line. When a lot fronts on a curved street, the frontage shall be determined by utilizing the arc distance.

LOT, INTERIOR - A lot other than a corner lot, the sides of which do not abut a street.

LOT, NONCONFORMING - A lot, the area or dimension of which was lawful prior to the adoption or amendment of this ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

LOT OF RECORD - A lot identified on a subdivision plan or on a deed or other instrument of conveyance recorded in the office of the Recorder of Deeds in and for Lancaster County, Pennsylvania.

LOT, PERCENTAGE OF - The maximum impervious area of any building, structure or use, expressed as a percentage of a lot area.

LOT, REVERSE FRONTAGE - A lot that abuts public rights-of-way to the front and rear of the property, where vehicular access is prohibited to and from the higher classified street. The yard abutting the higher classified street shall be considered a rear yard.

LOT SIZE - The required area of a lot.

LOT WIDTH - The horizontal distance measured between side property lines. Unless otherwise noted, lot width shall be measured at the building setback line and the street line.

MAILBOX CENTER - An accessory structure used as a joint mailbox for the residents of a condominium community, in lieu of individual mailboxes.

MAIN STREET COMMERCIAL AREA - An area of a development characterized by a mix of nonresidential and residential uses in buildings that have ground-floor storefronts, are a minimum of two stories or 20 feet in height and located close to a right-of-way. The streetscape of a Main Street area is pedestrian friendly in that it includes on-street parking, sidewalks, crosswalks, street trees, pedestrian-scale lighting, and amenities oriented to the pedestrian.

MANUFACTURE - A process whereby substances, raw materials, and/or semifinished materials are chemically, mechanically, or otherwise transformed to goods and products that have some economic value.

MANUFACTURED HOME - A fully prefabricated, transportable, single-family detached dwelling unit intended for household occupancy contained in one or more units designed to be joined into one integral unit, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and household furnishings. It is constructed as required by the Township Building Code and shall be placed on a permanent foundation with the same, or equivalent, electrical, plumbing and sanitary facilities as for a conventional stick-built single-family detached dwelling. A manufactured home may include any addition or accessory structure, such as porches, sheds, or decks, which is attached to it.

MANURE - The fecal and urinary excrement of livestock and poultry, often containing some spilled feed, bedding or litter.

MANURE STORAGE FACILITIES - A detached structure or other improvement built to store manure for future use or disposal. Types of storage facilities are as follows: underground storage, in-ground storage, earthen bank, stacking area, and aboveground storage.

MASSAGE - The manipulation of body muscle or tissue by rubbing, stroking, kneading, or tapping by hand, mechanical device, or other means.

MASSAGE ESTABLISHMENT - An establishment which provides the services of massage, except where operated by a medical practitioner, chiropractor or professional physical therapist licensed by the commonwealth or a qualified massage therapist. This definition does not include

an athletic club, health club, school, gymnasium, reducing salon, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service. "Massage establishment" shall not include adult establishments as defined herein.

MASTER SITE PLANNED DEVELOPMENT - A development option permitted in accordance with Article XXIV, Section 2406, in the T-5 Oregon Village Overlay.

MAXIMUM DEVELOPMENT CAPACITY - The maximum density of residential development permitted with the acquisition of transferable development rights.

MINI WAREHOUSE - A building and/or series of buildings divided into separate storage units for personal property and/or property associated with some business or other organization. These units shall be used solely for dead storage, and no processing, manufacturing, sales, research and development testing, service and repair or other non-storage activities shall be permitted.

MOBILE HOME - A transportable, single-family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. Mobile homes do not include recreational vehicles.

MOBILE HOME LOT - A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which is sold or leased by the park owner to the occupants of the mobile home erected on the lot.

MOBILE HOME PARK - A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

MODEL HOME - A dwelling unit in a new residential subdivision, typically built first and used as a sales office for the development.

MONOPOLE TOWER – A telecommunication tower consisting of a single pole constructed without guy wires.

MORTUARY - See "funeral home."

MOTEL (MOTOR LODGE) - See "hotel, full-service" or "hotel, limited-service," as applicable.

MOTOR VEHICLE - A self-propelled device, except that which uses human power only, used for the transporting of persons or goods. This would include automobiles, trucks, boats, trailers, farm equipment, all-terrain vehicles, dune buggies, and snowmobiles.

MOTOR VEHICLE, COMMERCIAL - A licensed, motorized vehicle designed for transportation of commodities, merchandise, produce, freight, animals or passengers and

operated in conjunction with a business, occupation, or home occupation. This term shall include, but is not limited to, automobiles, trucks, tractor-trailers, and vans.

MOTOR VEHICLE SALES AREA - An open area, other than a public or private street, right-of-way, or driveway, used for the display or sale or lease of new and used motor vehicles, boats, trucks, trailers, recreational vehicles, farm equipment, construction equipment, and accessories and where no repair work is done.

MOTOR VEHICLE SALES BUILDING - Any premises or structure used for the sale, lease or renting of motor vehicles, boats, trucks, trailers, recreational vehicles, farm equipment, construction equipment, and accessories.

MOTOR VEHICLE SERVICE STATION OR GARAGE - Any premises used for supplying gasoline, oil, motor vehicle accessories, motor vehicle services or motor vehicle repairs.

MOTOR VEHICLE SERVICE STATION OR GARAGE, NEIGHBORHOOD - A motor vehicle service station or garage that is limited in the intensity of use to serve primarily the immediately surrounding neighborhood. Such facilities shall be limited to five fuel dispensers serving no greater than 10 motor vehicles at any one time and/or two indoor service bays servicing no greater than two motor vehicles at any one time.

MOTOR VEHICLE WASHING FACILITY - Any premises used for the washing and/or cleaning of motor vehicles, boats, trailers, and accessories.

MOTOR VEHICLE WRECKING - The dismantling or wrecking of used motor vehicles, trucks, trailers, farm equipment, or construction equipment, or the storage, sale, or dumping of dismantled, partially dismantled, obsolete, or wrecked vehicles and equipment or their parts.

MPC - See "Municipalities Planning Code."

MULTIMUNICIPAL PLAN - A plan developed and adopted by any number of contiguous municipalities, including a joint municipal plan as authorized by this ordinance, except that all of the municipalities participating in the plan need not be contiguous.

MUNICIPAL ENGINEER - A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the Engineer for the Township of Manheim.

MUNICIPALITIES PLANNING CODE - The Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, as amended and reenacted, 53 P.S. § 10101 et seq.

MUNICIPALITY - Manheim Township, Lancaster County, Pennsylvania.

NEOTRADITIONAL NEIGHBORHOOD - A pedestrian-oriented neighborhood developed using traditional town planning principles and characterized by a hierarchical network of well-connected streets and alleys, a variety of public and civic spaces, including a central green or square, a mix of dwelling unit types, on-street parking, and nonresidential uses generally located within a discernible center or Main Street area that is within walking distance of the residences.

NO-IMPACT HOME-BASED BUSINESS - A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises in excess of those normally associated with residential use.

- A. The business activity shall be compatible with the residential use of the property.
- B. The business shall employ no employees other than family members residing in the dwelling.
- C. There shall be no display or sale of retail goods and no stockpiling of inventory.
- D. There shall be no outside appearance of a business.
- E. The business or activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electronic interference, including interference with radio or television reception.
- F. The business activity may not generate any solid waste or sewage discharge which is not normally associated with residential use.
- G. The business activity conducted may not occupy more than 25% of the floor area.
- H. The business activity may not involve any illegal activity.

NONMOTORIZED PATH - A path intended for use by pedestrian and bicyclists, but not by any motorized vehicles. It is a path that runs parallel to the street but is separated from it. (See also "linear trail.")

NORMAL FARMING OPERATIONS - The customary and generally accepted activities, practices and procedures that farms and dairies adopt, use or engage in year after year in the production and preparation for market of poultry, livestock and their products and in the production, harvesting and preparation for market of agricultural, agronomic, horticultural, silvicultural, aquacultural and hydroponic crops and commodities, if the operations are conducted in compliance with applicable laws, and if the use or disposal of these materials will not pollute the air, water or other natural resources of this commonwealth. The term includes the storage and utilization of agricultural and food-processing wastes on land where the materials will improve the condition of soil, the growth of crops or in the restoration of the land for the same purposes.

OFFICE, MEDICAL OR DENTAL - A facility for human ailments operated by a group of state licensed physicians, dentists, chiropractors, or other licensed practitioners for the treatment and examination of outpatients, provided that no patients shall be kept overnight on the premises. As an accessory use, this use may involve the testing of tissue, blood or other human materials for medical or dental purposes.

OFFICE PARK - A large tract of land that has been planned, developed, and operated as an integrated facility for a number of separate office buildings and supporting ancillary uses, with special attention given to circulation, parking, utility needs, aesthetics, and compatibility.

OFFICE, PROFESSIONAL - A facility where the primary use is conducting the affairs of a business, profession, service, or government, including administration, recordkeeping, clerical work, and similar business functions. An office shall not involve manufacturing, fabrication, production, processing, assembling, cleaning, testing, repair, or storage of materials, goods or products or the sale or delivery of any materials, goods, or products which are physically located on the premises. Office supplies used in the office may be stored as an incidental use. "Professional office use" shall not include medical or dental offices.

OFFICIAL MAP - An Official Map prepared in accordance with the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.

OPEN AREA - The required ground surface which must remain uncovered by building and/or paved surfaces, the extent of which is expressed as a percentage of the lot size.

OPEN SPACE - Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

OPEN SPACE, COMMON - See "common open space."

OUTDOOR HYDRONIC HEATER - A fuel-burning appliance or device, also known as an "outdoor wood boiler," "outdoor wood-burning boiler," or "outdoor wood heater," that burns less than 350,000 BTUs per hour and:

A. Is designed to burn fuel consistent with PADEP regulations.

B. Is specified by the manufacturer for outdoor installation or installation within a structure not intended for habitation by humans or domestic animals; and

C. Produces heat or hot water for a structure or building through the distribution, typically through pipes, of a fluid heated in the device, typically water or a mixture of water and antifreeze.

PA DCNR - The Pennsylvania Department of Conservation and Natural Resources.

PA DEP - The Pennsylvania Department of Environmental Protection.

PA UCC - The Pennsylvania Uniform Construction Code.

PARK - A tract of land designated and used for active or passive recreation.

PARK-AND-RIDE LOT - A parking lot intended primarily for use by persons riding mass transit or carpooling.

PARKING GARAGE/DECK/COMPOUND - A covered or enclosed space used exclusively for the parking of passenger vehicles for short-term, daily, or overnight off-street parking and

connected to a street by an access drive. This shall include parking garages, decks, and compounds. Vehicles shall be limited to currently registered and inspected vehicles.

PARKING LOT - An accessory use provided on a lot for the use of the general public designated for short-term parking of vehicles. Vehicles shall be limited to currently registered and inspected vehicles.

PARKING, PRIVATE - An off-street parking area or structure owned and operated by an entity for the sole use of its residents, customers, employees, or other visitors and not open to the general public.

PARKING, PUBLIC - An off-street parking area or structure owned and operated for use by the general public.

PARKING SPACE - An impervious space available for the parking of one motor vehicle and having usable impervious access to a street, access drive or alley.

PARK, MINI - A form of common open space measuring between 10,000 square feet and two acres that is intended for a mix of active and passive recreation and may include play equipment or play court areas.

PARK, NEIGHBORHOOD - A form of common open space that is a minimum of two acres in size and provides a mix of active and passive recreation.

PARK, PUBLIC - See "public park."

PATIO - An unroofed area or courtyard which shall not be completely enclosed, except for any side which may adjoin a structure or be lined by fences, walls, shrubs, or hedges. Outdoor areas covered by a roof, trellis, or fixed awning shall be considered to be a structure and not a patio. For the purposes of this ordinance, a patio is considered to be an impervious surface and part of the principal building.

PAVED AREA - Any impervious paving or other durable surface for, including but not limited to, driveways, sidewalks and parking facilities, exclusive of the building footprint, the permitted extent of which is expressed as a percentage of the lot size.

PENNDOT - Pennsylvania Department of Transportation.

PERMIT - A license issued by the recognized official or authoritative agency, as specified in the respective regulations, which permits the applicant to proceed with the work certified by said official or authoritative agency in the permit application.

PERMIT AREA - The area of land and water within the boundaries of the permit that is designated on the permit application maps as approved by the DEP. The term includes areas that are or will be used or affected by the residual waste processing or disposal facility.

PERSON - The term shall be construed to include an individual, firm, copartner, or corporation, partnership, association or any other similar entity.

PERSONAL CARE HOME - Residential facilities inspected and licensed by the Pennsylvania Department of Public Welfare that offer personal care services, assistance and supervision to four or more persons. Personal care homes include assisted living facilities and some retirement homes or communities and are not considered medical facilities.

PERSONAL SERVICE BUSINESS - Shops, including but not limited to a barber, beauty shop, nail salon, tailor, dressmaking, shoe repair, photographer, travel agency or similar service uses, including a dry-cleaning storefront for pickup and drop-off, but excluding a dry-cleaning establishment. This definition includes incidental uses and additional related cosmetic and/or beauty services such as facials, waxing and the minor retail sale of cosmetic products. Personal Service Businesses do not include adult establishments as defined herein.

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

PETROLEUM PRODUCT - Oil petroleum of any kind and in any form, including crude oil and derivatives of crude oil. It may be alone, as a sludge, as oil refuse, or mixed with other wastes.

PLAN - A drawing which shows the location, character and dimensions of the proposed occupancy and related roadway features, including layouts, profiles, cross sections, drainage and other details as specified in this ordinance.

PLAN, FINAL - A complete and exact subdivision or land development plan prepared for official recording as required by statute; a final plan/plat.

PLANNED RESIDENTIAL DEVELOPMENT - An area of land, controlled by a landowner, to be developed as a single entity for a variety of dwelling units or a combination of residential and nonresidential uses, the development plan for which does not correspond in lot size, bulk, or type of dwelling or use, density, or intensity, lot coverage, and required open space to the regulations established in any one residential district created, from time to time, under the provisions of this ordinance.

PLANNING COMMISSION - The Manheim Township Planning Commission, Lancaster County, Pennsylvania.

PLANNING COMMISSION STAFF - The technical staff of the Manheim Township Planning Commission.

PLAN, PRELIMINARY - A subdivision or land development plan indicating the approximate proposed layout of a subdivision or land development as a basis for consideration prior to preparation of the final plan(s); a preliminary plan/plat.

PLAN, SKETCH - A plan of a subdivision or land development showing the tentative street and lot layout, to be used for informal discussion with the Planning Commission/staff prior to preparation of the preliminary and/or final plan(s).

PLAN, TENTATIVE - A subdivision or land development plan indicating the approximate proposed layout of a subdivision or land development as a basis for consideration prior to preparation of the final plan(s); a tentative plan/plat.

PLANTING STRIP - A strip of required yard space adjacent to a property line or right-of-way planted in grass, shrubs, trees or other plant material.

PLAT - The map or plan of a subdivision or land development, whether preliminary or final.

PLAY AREA - A form of common open space that is intended for active recreation and may include play equipment or play court areas and measures a minimum of 10,000 square feet in area.

PLAZA - A form of common open space which typically ranges from 1,000 to 3,000 square feet in size and characterized as a predominantly paved space, designed and maintained with pavers, benches, plantings and other landscape features.

POCKET PARK - A small gathering place, typically less than 1,000 square feet, that is designed and maintained with features such as benches, plantings, and other landscape features.

PORCH - A roofed-over structure projecting from the front, side, or rear wall of a building. For the purpose of this ordinance, a porch is considered a part of the principal building and is not permitted to extend into any required yards.

PRD - Planned residential development in accordance with Article XIX.

PREFERRED LOCATION SITES - Locations for the siting of telecommunications facilities that meet one or more of the criteria contained in Section 2516.3 of this ordinance.

PREMISES - Any lot, parcel or tract of land and any building constructed thereon.

PREPARED FOODS - Foodstuffs and/or beverages which have been cooked, changed, cleaned, or otherwise altered for public consumption.

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

PRIMARY FACADE - The facade(s) of a building located along a public right-of-way. On a corner lot, there shall be two primary facades, one of which shall be designed with a front entrance door.

PRIME AGRICULTURAL LAND/SOILS - Land used for agricultural purposes that contains soils of the first, second or third class as defined by the United States Department of Agriculture Natural Resources Conservation Service County Soil Survey.

PRIVATE RECREATION AREA - See "recreation area."

PROCESSING - A function involved in the manufacturing of goods or products in which the material used is not physically changed except for packaging or sizing.

PRODUCT - Any article whose appearance or composition has been changed or altered but not in a complete form for ultimate disposition.

PRODUCTION - A function involved in the manufacturing and/or packaging of materials, goods, or products, in which they are physically changed.

PROFESSIONAL CONSULTANT - Persons who provide expert or professional advice, including, but not limited to, architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects or planners.

PROFESSIONAL LAND SURVEYOR - A surveyor registered in the Commonwealth of Pennsylvania.

PUBLIC GROUNDS - Includes:

A. Parks, playgrounds, trails, paths, and other recreation and public areas.

B. Sites for public schools, sewage treatment, refuse disposal, and other publicly owned or operated facilities; and

C. Publicly owned or operated scenic and historic sites.

PUBLIC HEARING - A formal meeting held pursuant to public notice by the Board of Commissioners, intended to inform and obtain public comment, prior to taking action in accordance with the Township provisions.

PUBLIC NOTICE - A notice of a public hearing and/or meeting published in accordance with the Pennsylvania Municipalities Planning Code, as amended.

PUBLIC PARK/RECREATION - A park or other recreation facility, which is established by an entity, the members of the governing body of which are all:

A. Elected public officials within the meaning of the "Ethics Act," 65 P.S. § 401 et seq., a snow or hereafter amended and supplemented; or

B. Appointed by persons who are elected public officials as described in Subsection A above.

PUBLIC SEWER - A municipal sanitary sewer or a comparable common or package sanitary facility approved and permitted by the Pennsylvania Department of Environmental Protection. Such systems are capable of serving multiple users.

PUBLIC SPACE - A lot or area of land outside the building, dedicated or devoted to public use.

PUBLIC TRANSPORTATION SHELTER - A small structure with a roof used by passengers awaiting the arrival of public transportation that provides cover or protection, as from weather. Any associated advertisements shall comply with the appropriate sign regulations for public use.

PUBLIC USES - Public and nonprofit semipublic use of a welfare and educational nature, such as schools, parks, houses of worship, cemeteries, historical landmarks, nonprofit recreational facilities. For the purposes of this definition, fire stations and public utilities shall be considered municipal uses.

PUBLIC UTILITY - A use which is operated, owned or maintained by a public utility corporation and regulated by the Pennsylvania Public Utility Commission in accordance with the requirements of the Pennsylvania Public Utility Code, 66 Pa.C.S.A. § 101 et seq., or which is operated, owned or maintained by a municipality or a municipal authority organized under the laws of the Commonwealth of Pennsylvania to provide public water service, public sewer service or similar services. A public utility shall not include cellular telephone transmission facilities and similar facilities or entities which are not governmentally owned and operated or not regulated by the Public Utility Commission.

PUBLIC UTILITY INSTALLATION - Any facility, equipment, or structure necessary to conduct a service by a government or public utility, including telephone, electric, and cable television lines, poles, equipment and structures; water or gas pipes, mains, valves, or structures; sewer pipes, valves, or structures; pumping stations; telephone exchanges and repeater stations; and microwave antenna and related structures. This definition does not include line replacement installations.

PUBLIC WATER - A municipal water supply system or a comparable common water facility approved and permitted by the Pennsylvania Department of Environmental Protection. Such systems are capable of serving multiple users.

QUALIFIED MASSAGE THERAPIST - An individual who:

A. Has graduated from a massage school that is accredited and licensed as a private school by the Commonwealth of Pennsylvania or by any state within the United States of America and which requires the successful completion of a program of at least 500 hours of supervised instruction.

B. Holds and maintains a current certification by the National Certification Board of Therapeutic Massage and Body Work or its successor or a national certification program maintaining similar standards.

RECEIVING AREA - A zoning district in which transferable development rights from a sending area are intended to be used. Manheim Township has designated all parcels of five (5) acres or greater within the T-4, T-5, T-6, D-R, D-C, and D-A Overlays, Residential District R-1, the Residential District R-2, the Residential District R-3 and the Planned Residential Development District (PRD), under the PRD provisions, as receiving areas.

RECREATION - Activities, whether structured or not, in which individuals customarily engage during their leisure for play, relaxation or athletic purposes, such as sporting activities, hobbies, reading or walking.

RECREATION, ACTIVE - Recreation activities, including the facilities used for such activities, that are usually rigorously athletic and have the potential for a noticeable impact on the surrounding neighborhood and environment. Active recreation may include, but is not limited to, individual or team sports, playgrounds/tot lots, ball courts, play fields, trails, nonmotorized paths, and swimming pools.

RECREATIONAL VEHICLE - A vehicular-type portable structure without permanent foundation, which can be towed, hauled, or driven and is designed primarily as temporary living accommodation for recreational, camping, and travel use and includes but is not limited to travel trailers, truck campers, camping trailers, and self-propelled motor homes.

RECREATION AREA - A private or public space, including essential buildings and structures, used for play and/or recreation by individuals.

REDEVELOPMENT - Any external alteration, enlargement or extension of a building or use by 30% or more of the floor area of the building or 30% or more of the lot area, including the cumulative total of any external demolition, new construction, alteration, enlargement or extension of a building approved from the date of adoption of this ordinance.

REGIONAL STORMWATER FACILITY - A stormwater management facility designed to manage stormwater runoff from an area larger than a single project site. A regional stormwater facility could capture stormwater runoff from two adjacent parcels, an entire watershed, or some defined area in between. A regional stormwater facility can be designed as part of new development or as a retrofit to manage runoff from already developed areas.

REHABILITATION - The process of returning an historic resource to a useful state for either its original use or an appropriate new use.

RENEWABLE ENERGY SOURCE - Any method, process or substance whose supply is rejuvenated through natural processes and, subject to those natural processes, remains relatively constant, including, but not limited to, biomass conversion, geothermal energy, solar and wind energy and hydroelectric energy, and excluding those sources of energy used in the fission and fusion processes.

REPAIR - The replacement of damaged or defective existing construction, not including alterations or additions.

RESTAURANT - A public eating place primarily offering indoor or outdoor counter or table service seating and custom-prepared foods for on-premises consumption.

RESTAURANT, DRIVE-IN/DRIVE-THROUGH - An establishment that serves prepared food generally packaged in paper wrappers and/or disposable plates and containers. Such food can be consumed in automobiles parked on the premises, whether brought to said automobiles by the customers or by the employees of the restaurant, or for consumption at some location other than inside the restaurant building itself.

RESTAURANT, FAST-FOOD - An establishment whose principal business is the sale of prepared or rapidly prepared food directly to the customer in a ready-to-consume state for consumption either within the restaurant building or off premises. Such establishments do not provide waiter or waitress service. It is not to include the sale of alcoholic beverages. It often includes drive-through or carry-out facilities.

RESTORATION - The process of returning an historic resource to its appearance at a particular point in history.

RETAIL - Those businesses whose primary activities involve the display and sales of goods and products to the general public. This term shall not include adult establishments or body art establishments as defined herein.

RETAIL SALES - Business establishments whose principal activities involve the display and sale of goods and products to the general public. This term shall not include adult establishments or body art establishments as defined herein.

RETAIL SERVICES - Establishments providing services or entertainment, as opposed to goods or merchandise, to the general public. This term shall include personal service businesses, but not include adult establishments or body art establishments as defined herein.

RETIREMENT HOME OR COMMUNITY - An integrated development that provides a variety of living arrangements for the elderly or physically handicapped. Retirement communities may also provide for on-site medical care, accessory commercial and social uses, so long as those uses are scaled to primarily serve the inhabitants of the site.

RIGHT-OF-WAY - The total width of any land reserved or dedicated as a street, alley, Pedestrian way, or for other public or private use.

RIPARIAN BUFFER - Undisturbed riparian land adjacent to a natural watercourse and other bodies of water for the purpose of stabilizing banks, filtering pollutants from runoff and for providing habitat for a variety of wildlife. This is not intended to include man-made swales or detention facilities utilized solely for stormwater management from the project site.

ROOMING HOUSE - See "boardinghouse."

SATELLITE ANTENNA - A parabolic reflector, together with its pedestal and any other attachments and parts thereof, commonly referred to as a "dish-shaped antenna," used or intended to receive radio or electromagnetic waves from an overhead satellite.

SCHOOL, BUSINESS - A secondary or higher education facility teaching primarily usable skills that prepares students for jobs in business.

SCHOOL, ELEMENTARY - Any school licensed by the Pennsylvania Department of Education, and which meets the requirements for elementary education for grades K through 6.

SCHOOL, SECONDARY - Any school licensed by the Pennsylvania Department of Education, and which is authorized to award diplomas for secondary education for grades 7 through 12.

SEATS - Whenever the word "seats" is referred to, it shall mean the seating capacity of a particular building as determined by the plans filed with the Zoning Officer; in the event individual seats are not provided, each 20 inches of benches or similar accommodations shall be considered as one seat for the purpose of this ordinance.

SENDING AREA - A zoning district containing the land-based resource which the transferable development rights program is designed to protect and from which transferable development rights will be sent. Manheim Township has designated the Agricultural District as the sending area.

SERVICES - An act by which skills of one person are utilized for the benefit of another, provided no function involves the manufacture, cleaning, repair, storage, or distribution of products or goods, except for the cleaning and repairing of clothing and personal accessories.

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

SETBACK, FRONT YARD - The required minimum yard area contained between the street right-of-way line, private street, or common open space (when such principal structure is oriented towards the common open space) and the principal structure. On corner lots there shall be two front yards, being the area contained between the street right-of-way lines and the principal structure.

SETBACK LINE - A line within a property and parallel to a property or street line which delineates the required minimum distance between a structure and that property or street line.

SETBACK, REAR YARD - The required minimum yard area contained between the rear property line and the principal structure. On corner and reverse frontage lots, the rear yard shall be considered that area between the principal structure and the property line directly opposite the street of address.

SETBACK, SIDE YARD - The required minimum yard area between a principal structure and the adjacent side lot line, extending from the front yard to the rear yard.

SEXUALLY ORIENTED DEVICES - Without limitation, any artificial or stimulated specified anatomical area or other devices or paraphernalia that are designed in whole or part for specified sexual activities.

SHOPPING CENTER - A group of at least five retail, office and other uses permitted within the respective zoning district that are planned, designed, constructed, and managed as a unit where each establishment has a separate customer entrance from the parking lot or street and where off-street parking is shared and provided on site.

SIDEWALK - A paved, surfaced, or leveled area, paralleling and usually separated from the vehicular travel way, that is an integral part of the right-of-way and used as a pedestrian walkway.

SIDEWALK DISPLAY - The outdoor display of merchandise for sale by a commercial establishment. The displayed merchandise shall only be merchandise sold by the establishment and must be similar to the merchandise sold within the establishment.

SIGHT DISTANCE - The length of road visible to the driver of a passenger vehicle at any given point in the road when viewing is unobstructed.

SIGHT TRIANGLE - A triangle-shaped portion of land established at a street intersection on which nothing above 30 inches shall be erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the clear sight distance of motorists entering or leaving the intersection.

SIGN - A device for visual communication that is used to bring the subject to the attention of the public. Signs include lettering, logos, trademarks, or other symbols which are an integral part of the architectural design of a building, which are applied to a building, or which are located elsewhere on the premises; flags and insignia of civic, charitable, religious, fraternal, patriotic, or similar organizations; insignia or flags of governments or government agencies; banners, streamers, pennants, spinners, reflectors, ribbons, tinsel, and similar materials; and inflatable objects. Signs do not include architectural features which may be identified with a particular business; backlit awnings that include no lettering, logos, or other symbols; signs within a building which are obviously intended to be seen primarily from within the building; outdoor signs intended for use within a property, such as menu signs by fast-food restaurant drive through lanes, signs with regulations within a park; decorative seasonal and holiday banners on residential properties; and displays of merchandise either behind store windows or outdoors. Refer to Article XVIII for individual sign definitions.

SOLAR ENERGY SYSTEM - An energy conversion system, including appurtenances, which converts solar energy to a usable form of energy to meet all or part of the energy requirements of the on-site residential user.

SOLID WASTE - Garbage, refuse and other discarded materials, including, but not limited to, solid, semisolid, contained gaseous and liquid waste materials resulting from municipal, industrial, commercial, agricultural, institutional, public and residential activities. Such wastes shall not include biological excrement nor hazardous waste materials as defined in the Code of Federal Regulations, Title 40, Chapter 1, Part 261, dated July 1, 1984, or as amended, provided, however, that the exclusion of hazardous waste shall not include household hazardous waste.

SOLID WASTE MANAGEMENT SERVICES AND FACILITIES - A solid waste management and ancillary service use provided by a corporate or political body organized under the Municipal Authorities Act of 1945 of the Commonwealth of Pennsylvania, or such similar or successor statute as may be enacted, for the systematic control of generation, collection, storage, transport, source separation, processing, treatment, recycling, recovery and disposal of solid waste, including facilities for the incineration of solid waste, transfer stations and compressed natural gas (“CNG”) service stations used primarily to fuel vehicles used in connection with solid waste management services, however, use of the fast-fill CNG service station may include selected outside fleets, including private fleets and municipal- and government-owned vehicles. The general public and individually owned vehicles shall not be permitted to use the CNG fast fill service station.

SPECIAL EVENT - A temporary event held indoors or outdoors on private or public property such as an auction, flea market, festival, carnival, meal, holiday event or fund-raising event, but not including any recurring event, such as sporting or social events.

SPECIAL EXCEPTION - A use to be permitted or denied by the Manheim Township Zoning Hearing Board in a particular zoning district pursuant to expressed standards and criteria.

SPECIFIED ANATOMICAL AREAS - Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, female breasts below a point immediately above the top of areolae, and/or human male genitals in a discernible turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES - For the purposes of this ordinance, this term shall include any of the following:

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

B. Clearly depicted human genitals in a state of sexual stimulation, arousal or tumescence; or

C. Use of human or animal masturbation, sodomy, oral copulation, coitus, ejaculation; or

D. Fondling or touching of nude human genitals, pubic region, buttocks or female breast; or

E. Masochism, erotic or sexually oriented torture, beating, or the infliction of pain; or

F. Erotic or lewd touching, fondling or other contact with an animal by a human being; or

G. Human excretion, urination, menstruation, vaginal or anal irrigation.

SQUARE - A form of common open space, typically ranging from 3,000 to 10,000 square feet in area, that is designed and maintained with pavers, benches, plantings and other landscape features.

STABLE - A structure that is used for the shelter or care of horses, cattle, or other large animals.

STEEP SLOPE - A natural geographical area, whether on one or more lots, which has a ratio of vertical distance to horizontal distance of greater than 15%, based on two-foot contour intervals and measured over a minimum of three contours (six feet) and 500 square feet of area.

STEEP SLOPE, MODERATE - Any area defined as a "steep slope," where the slope measures from 15% to less than 25%.

STEEP SLOPE, SEVERE - Any area defined as a "steep slope," where the slope measures 25% or greater.

STORAGE - A function involving the depositing of materials, goods or products for safekeeping.

STORMWATER MANAGEMENT ORDINANCE - The Official Manheim Township Stormwater Management Ordinance.

STORY - That portion of a building included between the upper surface of any floor and the upper surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it and including basements used for the principal use.

STORY, HEIGHT OF - The vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, when there is not a ceiling, to the top of the roof rafters.

STREET - A strip of land, including the entire right-of-way, publicly or privately owned, serving primarily as a means of vehicular and pedestrian travel, and furnishing access to abutting properties, which may also be used to provide space for sewers, public utilities, street trees, and sidewalks.

STREET, ARTERIAL - A street whose primary function is to serve comparatively high volumes of through traffic at speeds higher than desirable on collector and local streets.

STREET, COLLECTOR (MAJOR) - A street which provides access to abutting properties and for intercommunity travel, connecting borough and unincorporated population centers, and carrying large volumes of traffic to the arterial street system.

STREET, COLLECTOR (MINOR) - A street which provides access to abutting properties and routes to local community facilities, serves as the main entrance or circulation street in residential subdivisions, and serves small rural settlements.

STREET, CUL-DE-SAC - A local street intersecting another street at one end and terminating at the other in a vehicular turnaround.

STREET, LIMITED-ACCESS HIGHWAY - A special type of arterial street on which access is provided only from another street and not from abutting properties.

STREET LINE - A line defining the edge of a street right-of-way and separating the street from abutting property or lots. The street line shall be the same as the right-of-way line.

STREET, LOCAL - A street used primarily to provide access to abutting properties.

STREET, MARGINAL-ACCESS - A local street parallel and adjacent to an arterial or collector street, providing access to abutting properties and control of intersections with collector or arterial streets.

STREET, PRIVATE - A street not offered for dedication or whose dedication was not accepted by the Township.

STREETSCAPE - The physical elements within and along the street right-of-way that define its appearance, character and function, including adjacent buildings and land uses, street lighting and furniture, landscaping, street trees, sidewalks, and on-street parking. Physically, the streetscape is bound by the space between building facades and/or street walls on either side of a street right-of-way.

STREET WALL - The physical wall that is formed when building facades and other approved architectural or landscaping elements are located uniformly along a build-to line at the edge of the street right-of-way. The street wall defines the outer boundaries of the streetscape and may be comprised of elements such as walls, fences, or hedges, when an existing building is already set back from the street.

STRUCTURE - Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land, including, but not limited to, buildings, sheds, cabins, mobile homes, trailers, dams, culverts, roads, railroads, bridges, storage tanks, solar energy systems, wind energy systems, signs and transmission or receiving towers or dishes.

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

STRUCTURE, EXISTING - Any structure, building, silo, smokestack, water tower, utility or power pole, church steeple, or a support structure other than an existing antenna tower or telecommunications tower.

STRUCTURE, HEIGHT OF - The vertical distance from the average grade to the top of the highest point of structures, other than principal or accessory buildings, such as, but not limited to, telecommunications towers, light poles, flagpoles, silos, and water tanks.

STRUCTURE, NONCONFORMING - A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in this ordinance, or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

STRUCTURE, PRINCIPAL - A structure in which is conducted the principal use of the lot on which the structure is located, including any attached structures, such as garages, decks, patios, etc.

SUBDIVIDER - See "developer."

SUBDIVISION - The division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels, or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership, or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement or access or any residential dwelling, shall be exempt.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE - The Official Manheim Township Subdivision and Land Development Ordinance.

SUPERMARKET - A store of 10,000 square feet or greater used primarily for the retail sale of food products while also providing for the retail sale of household merchandise typically used in day-to-day activities.

SURFACE DRAINAGE PLAN - A plan showing all present and proposed grades and facilities for stormwater drainage.

SURVEYOR - A professional land surveyor licensed in the Commonwealth of Pennsylvania.

SWIMMING POOL, PRIVATE - Any structure intended for swimming or recreational bathing that contains water over 24 inches (610 mm) deep. This includes in-ground, aboveground and on-ground swimming pools, hot tubs and spas. Farm ponds and/or lakes are not included.

SWIMMING POOL, PUBLIC - Any open or enclosed place open to the public for swimming or recreational bathing, whether or not a fee is charged for admission or for the use thereof.

TDR - See "transferable development right."

TELECOMMUNICATIONS FACILITY - A facility containing antennas and towers, either individually or together, including all incidental structures and fenced areas.

TELECOMMUNICATIONS TOWER - A structure, such as a lattice tower, guy tower, or monopole tower, constructed as a freestanding structure or in association with a building, other permanent structure or equipment, on which is located one or more antennas intended for transmitting or receiving analog, digital, microwave, cellular, telephone, personal wireless service or similar forms of electronic communication. The term includes microwave towers, common-carrier towers, and cellular telephone towers.

TELECOMMUNICATIONS TOWER, ATTACHED - An antenna mounted on an existing structure, building, silo, smokestack, water tower, utility or power pole, or a support structure other than an existing antenna tower or telecommunications tower.

TELECOMMUNICATIONS TOWER HEIGHT - The height of a telecommunications tower shall be measured from the average grade at the tower base to the highest point of the tower. The average grade shall be the average grade existing at the time of construction or the average grade existing prior to construction and prior to any earth disturbance at the site. No person(s) shall artificially increase the maximum height of a telecommunications tower by altering the grade the base of the tower by any means. Overall antenna tower height includes the base pad, mounting structures, whip antennas and panel antennas, but shall exclude lightning rods.

TEMPORARY RETAIL SALES - The offering of goods for sale to the public from a temporary structure or from a location out of doors where goods are not normally displayed as part of a permanent, ongoing retail establishment. Examples of temporary retail sales include the selling of flowers before and on holidays such as Mother's Day and the sale of fireworks on Independence Day.

THEATER CHURCH - A portion of a movie theater used on a limited and secondary basis for religious and/or spiritual worship and which is operated for nonprofit and noncommercial purposes.

TOWER - A structure, such as a lattice tower, guy tower, or monopole tower, constructed as a freestanding structure or in association with a building, other permanent structure or equipment on which a telecommunications tower or an attached telecommunications tower may be located.

TOWNSHIP - The Township of Manheim, Lancaster County, Pennsylvania.

TOWNSHIP ENGINEER - A duly registered professional engineer, licensed as such in the Commonwealth of Pennsylvania, employed by the Township or engaged as a consultant thereto.

TOWNSHIP MANAGER-SECRETARY - The Manager-Secretary of the Board of Commissioners of Manheim Township, Lancaster County, Pennsylvania.

TRAILER - A portable, vehicular structure built on a chassis and designed for travel, recreation, or hauling.

TRANSFERABLE DEVELOPMENT RIGHTS - The attaching of development rights to specified lands which are desired by the Township to be kept undeveloped, but permitting those rights to be transferred from these lands so that the development potential which they represent may occur on other lands within the Township.

TRANSFER CAPACITY - The maximum number of transferable development rights which a specific tract can accommodate. Transfer capacity is the difference between the maximum development capacity and the base density. Maximum development capacity - base density = transfer capacity

TRUCKING TERMINAL - Any property which is the origin and/or destination point of short and long-distance hauling and is used for the purpose of storing, transferring, loading, and unloading, in addition to truck parking. This would include solid waste disposal vehicles, tank trucks, and livestock trucks.

USE - The specific purpose for which land, a structure, a sign or a building is arranged, designed, or intended or for which either land, a structure, a sign or a building is or may be used, occupied, or maintained. The term "permitted use" or "uses by right" or equivalent shall not be deemed to include any nonconforming use.

USE, ACCESSORY - A use customarily incidental and subordinate to the principal use of the land or principal building and located on the same lot with such principal use or principal building.

USE, BY RIGHT - A permitted use as distinguished from a use not requiring a special exception or conditional use.

USE, CHANGE OF - An alteration of a building, structure or tract of land which changes the use heretofore existing to a new use classification.

USE, COMMERCIAL - A use of land or improvements thereto for the purpose of engaging in retail, wholesale or service activities for profit.

USE, CONDITIONAL - A use which may not be appropriate to a particular zoning district, but which may be suitable in certain localities within the district only when specific conditions and criteria prescribed for such uses have been complied with. Conditional uses are reviewed by the Board of Commissioners after recommendations by the Planning Commission.

USE, MIXED - A development which combines residential and nonresidential uses within the same building or on the same lot, planned and designed as a complex of related structures and circulation (vehicular and pedestrian) patterns and designed, constructed, or managed as a total entity with customer and employee parking provided on site and with provision for delivery of goods separate from customer access.

USE, MUNICIPAL - Those uses and facilities designed to furnish necessary support for the general public health, safety and welfare of a municipality that are typically the responsibility of local governments or local government authorities. Such uses shall include, but not be limited to:

- A. Township offices and halls.
- B. Police, fire and ambulance stations.
- C. Township authority facilities.

D. Uses accessory to the above permitted uses, including parking and loading spaces, signs, offices, rest rooms, maintenance equipment storage areas and buildings, lights, waste receptacles and dumpsters, bleachers, and other similar uses.

USE, NONCONFORMING - A use, whether of land or of a structure, which does not comply with the applicable use provisions of this ordinance or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment, or prior to the application of such ordinance or amendment to its location by reason of annexation.

USE, PRINCIPAL - The primary use of a building, structure, or lot.

USE, RESIDENTIAL - An existing or proposed dwelling or dwelling unit(s) on a lot, to include a single-family detached dwelling; single-family semidetached dwelling; duplex dwelling; quadruplex dwelling; multiple-family dwelling; townhouse dwelling and apartment dwellings. This definition also includes residential units located on upper floors above commercial uses.

USE, TEMPORARY - Any use not to exceed 180 consecutive days.

VARIANCE - Relief of any provision of this ordinance granted by the Zoning Hearing Board.

VETERINARY OFFICE - A building used primarily for the treatment, by a veterinarian, of small domestic animals such as dogs, cats, rabbits and birds or fowl. Boarding of such animals shall be for medical or surgical treatment. No outdoor boarding of animals is permitted.

VETERINARY OFFICE, LARGE ANIMAL - A building used primarily for the treatment, by a veterinarian, of large farm animals, such as horses, cattle, sheep, lambs and swine.

WALKWAY - A paved pedestrian path which is not aligned with vehicular circulation patterns, but which is located on a lot along proposed or existing pedestrian patterns.

WALL, FREESTANDING - A man-made structure erected for purposes of property delineation, decoration, or enclosure, that is not part of a building or other structure and is typically constructed of brick or stone. This definition shall not include retaining walls.

WALL HEIGHT - The vertical distance from the foundation wall or other immediate support of such wall to the top of the wall.

WALL, RETAINING - A structure that holds back earth or water from a building or other structure. Retaining walls stabilize soil and/or rock from downslope movement or erosion and provide support for vertical or near-vertical grade changes. Retaining walls are generally made of masonry, stone, brick, concrete, vinyl, steel or timber. Retaining wall designs must be certified by a professional engineer licensed in the Commonwealth of Pennsylvania.

WAREHOUSING - A facility for handling goods with or without maintenance facilities.

WATERCOURSE - A permanent or intermittent stream, river, brook, run, creek, channel, swale, pond, lake or other body of surface water carrying or holding surface water, whether natural or artificial, having defined bed and banks.

WETLAND BUFFER - An area of land immediately adjacent to a wetland that is set aside for naturally occurring vegetation or the reestablishment of native plant species and as a transition zone to protect the wetland from impact caused by development of adjacent upland areas.

WETLANDS - Those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas.

WHOLESALE - Any distribution procedure involving persons who, in the normal course of business, do not engage in sales to the general public.

WHOLESALE CLUBS - Establishments which are engaged in selling merchandise at reduced or wholesale prices to its club members only.

WHOLESALE SALES - Establishments engaged primarily in selling and/or renting merchandise to retailers, to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling and/or renting merchandise to, such individuals or companies, but not excluding related retail sales and/or rentals which comprise less than half of their business activities.

WIND-ENERGY CONVERSION SYSTEM (WECS) - An energy conversion system, which converts wind energy to mechanical or electrical energy, consisting of a wind turbine, a tower, blades and associated controls and appurtenances that convert wind energy to a usable form of energy to meet all or part of the energy requirements of the on-site user and which has a rated capacity that does not exceed the rated capacity appropriate to the on-site user.

WIND ENERGY SYSTEM HEIGHT - The distance measured from the ground surface of the wind energy system tower base to the highest point of the extended blade tip or highest point of the wind energy system.

WIND ENERGY SYSTEM TURBINE - The parts of a wind energy system, including the blades, generator and tail.

WIRELESS COMMUNICATIONS SERVICE - Any personal wireless services as defined in the Telecommunications Act of 1996, which includes FCC-licensed commercial wireless telecommunications services, including cellular, personal communication services, specialized mobile radio, enhanced specialized mobile radio, paging, and similar services that currently exist or that may in the future be developed.

YARD - An open, unoccupied space, other than a courtyard, that lies between the principal building or buildings and the lot lines.

YARD, MINIMUM AREA - The least distance at any point, measured at grade from and parallel to a lot line to the building line.

YARD WASTE - All garden residues, shrubbery, tree pruning's of less than 1/4 inch, sod and similar materials, grass clippings and leaves.

ZONING - The designation of specified districts within the Township, reserving them for certain uses, together with limitations on lot size, heights of structures and other stipulated requirements.

ZONING MAP - The Official Manheim Township Zoning Map.

ZONING OFFICER - The person appointed by the Board of Commissioners who is charged with the administration and enforcement of this ordinance.

ZONING ORDINANCE - The Official Manheim Township Zoning Ordinance.

ZONING PERMIT - A written statement issued by the Zoning Officer authorizing buildings, structures or uses consistent with the terms of this chapter and for the purpose of carrying out and enforcing its provisions.

ARTICLE VI. AGRICULTURAL DISTRICT A (Amended by Ordinance 2021-04, dated June 28, 2021)

SECTION 601. PURPOSE; INTENT

1. The purpose of this district is to promote the continuation and preservation of agricultural activities in those areas most suitable for such activities. The intent of the Board of Commissioners in establishing this district is also to protect and stabilize the Township's viable agricultural economy by eliminating uses that are incompatible with farming, but permitting limited agricultural support businesses.
2. It is the specific intent of the Board of Commissioners to implement the provisions of Section 604(3) of the Pennsylvania Municipalities Planning Code, which requires that the provisions of this Ordinance shall be designed to preserve prime agriculture and farmland considering topography, soil type and classification and present use. In order to attain this goal, the regulations of this district are designed to protect and stabilize agriculture in areas of productive soils as an ongoing, viable, major component of the economy of the Township and Lancaster County, to with limited exceptions only those land uses and activities which are agricultural in nature, to encourage the preservation of the most productive farmland within the Township as a valuable resource which is lost and not reclaimable once it is developed for building and other nonagricultural purposes, and to prevent adverse effects resulting from the encroachment and mixing of residential and other incompatible development with agricultural uses. The agricultural zone is also intended to be a "sending area" for the transferable development rights as outlined in Article 26 of this Ordinance.
3. Consequently, residential uses are limited, and any future inhabitants in this district must be willing to accept the impacts associated with normal farming practices. These impacts include inconvenience, discomfort and the possibility of injury to health and property arising from normal and accepted agricultural practices and operations, including but not limited to noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, soil amendments, herbicides and pesticides. Owners, occupants and users of property within the Agricultural District should be prepared to accept such inconveniences, discomfort, and the possibility of injury from normal agricultural operations and are hereby put on official notice that Section 4 of Act 133 of 1982, known as the "Right to Farm Law," may bar them from obtaining a legal judgment against such normal agricultural operations.

SECTION 602. USES BY RIGHT

The following uses are permitted by right:

1. Agricultural uses and necessary buildings, including farm dwellings, structures related to the tilling of the land, the raising of farm products, the raising and keeping of horses, cattle, alpacas, llamas, emus and other livestock, the raising of poultry and poultry products, and the sale of farm products produced on -site and sold on a retail basis in accordance with Section 2503.

2. Single-family detached dwellings.
3. Horticultural and hydroponic uses, including temporary and permanent greenhouses related to the raising, propagating and selling of trees, shrubs, flowers and other vegetative material and the sale of farm products produced on-site and sold in accordance with Section 2503.
4. Forestry.
5. Public utility installations.
6. Telecommunications tower, attached.
7. Accessory buildings and uses customarily incidental to the above permitted uses including but not limited to the following:
 - (a) Manure storage for manure produced on-site, provided manure is stored in accordance with the Clean Streams Law, the practice presented by the PA Manure Management Manual, as amended, and Section 2101.4.
 - (b) Roadside stands for the sale of farm and horticultural products in accordance with Section 2503.1.
 - (c) Farm buildings associated with the farm.
 - (d) Solar energy systems associated with the farm in accordance with Section 2523.
 - (e) Beekeeping in accordance with Section 2114.
 - (f) Outdoor hydronic heaters in accordance with Section 2503.5.

SECTION 603. SPECIAL EXCEPTION USES

The following uses are permitted as a special exception when authorized by the Zoning Hearing Board. In granting any special exception, the Board may attach certain conditions to its approval which, in addition to the requirements listed within this ordinance, it feels are necessary requirements in order to preserve and protect the character of the district in which the proposed use would be located.

1. Conversion of a single-family detached farm dwelling.
2. Bed-and-breakfast establishments through the conversion of existing residential structures only.
3. Telecommunications tower.
4. Anaerobic and manure digesters and outdoor hydronic heaters as accessory uses.
5. Accessory dwelling units.

SECTION 604. CONDITIONAL USES

The following uses are permitted by conditional use when authorized by the Board of Commissioners:

1. Farm related occupations.
2. Elementary schools with classes only through grade eight, a total enrollment of no more than 50 children, and which serve the farming community.
3. Agricultural composting operations.
4. Agritourism enterprises.
5. Aquaculture enterprises.
6. Riding schools and stables.
7. Large animal veterinary office.
8. Wind energy systems as an accessory use on the farm.

SECTION 605. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY RIGHT

1. Maximum building height: 35 feet; however, farm buildings and farm accessory buildings shall not exceed 85 feet in height measured from grade. All structures are subject to Section 2208 and 2214 of this Ordinance.
2. Minimum lot requirements.
 - A. Agricultural or forestry uses. Such uses shall comply with the requirements of Section 2503:
 - (1) Minimum lot area: 10 acres.
 - (2) Minimum lot width: none.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard:
 - [i] Farm dwelling: 35 feet. (See Section 2213)
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.
 - [b] Side yard:
 - [i] Farm dwelling: each side: 15 feet.
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.

- [iii] Other permanent structures: 75 feet.
 - [c] Rear yard:
 - [i] Farm dwelling: 35 feet.
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.
- (5) Minimum open area: 75%.
- (6) Erosion control filter strips. All areas subject to the cultivation of farm crops or the pasturing of farm animals shall contain erosion control filter strips. Such strips shall be a minimum of six feet wide, as measured from the bank of any drainageway (during nonflooding) and/or any street right-of-way line. Erosion control filter strips shall be maintained with an all-season ground cover approved by the Board of Commissioners (e.g., grass, ivy, vetch, pachysandra, etc.). All agricultural activities that could threaten such ground cover shall be prohibited from such areas to prevent erosion.
- (7) Sale of farm and/or garden products on a retail basis. Such activities shall comply with the requirements of Section 2503.1.
- B. Single-family detached dwellings. The requirements for single-family detached dwellings shall be those set forth in Section 605.3.
- C. Horticultural or hydroponic uses: Horticultural or hydroponic shall comply with the requirements of Section 2510.
 - (1) Minimum lot area: 10 acres.
 - (2) Minimum lot width: none.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard:
 - [i] Dwelling: 35 feet. (See Section 2213)
 - [ii] Other permanent structures: 75 feet from all property lines.
 - [b] Side yard:
 - [i] Dwelling, each side: 15 feet.
 - [ii] Other permanent structures: 75 feet.
 - [c] Rear yard:
 - [i] Dwelling: 35 feet.

[ii] Other permanent structures: 75 feet.

(5) Minimum open area: 75%.

D. Public utility installations:

(1) Minimum lot area: none.

(2) Minimum lot width: none.

(3) Minimum lot depth: none.

(4) Minimum yard dimensions:

[a] Front yard: 25 feet. (See Section 2213).

[b] Side yard, each side: 15 feet.

[c] Rear yard: 15 feet.

(5) Minimum open area: none.

(6) Landscaping and screening. (See Section 2512 and Section 2513)

E. Telecommunications tower, attached. Such uses shall comply with the requirements of Section 2516.

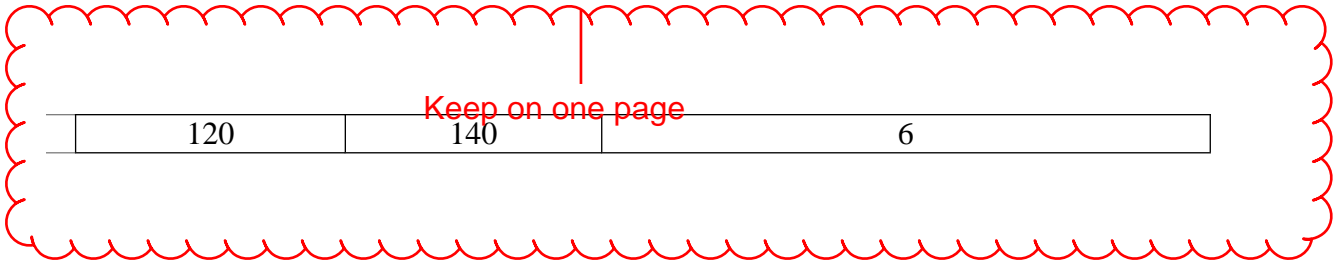
3. Limitations on subdivision of land. In order to preserve agricultural tracts, it is the express intent of this subsection that the creation of lots for residential purposes shall be limited. In addition, it is the express intent of this subsection that the maximum size of residential lots be limited in order to provide for the retention of tracts of sufficient size to be used for agricultural purposes. It is the intent of the Board of Commissioners to implement the mandate of Section 604(3) of the Pennsylvania Municipalities Planning Code to preserve prime agricultural land through the enactment of these regulations.

A. For each tract of contiguous land in single ownership that is two (2) acres or more but less than forty (40) acres as of the effective date of this ordinance, there may be only one lot sold or utilized for a single-family dwelling or conversion to a two-unit dwelling.

B. For each additional twenty (20) acres of contiguous land in single ownership as of the effective date of this ordinance, there may be one lot sold or utilized for a single-family detached or attached dwelling.

C. A tabular example of the limitation on the subdivision of land set forth in Subsection 3(A) and (B) above is as follows:

Lot Area at Least	Acres Less Than	Number of Lots which May be Subdivided
2	40	1
40	60	2
60	80	3
80	100	4
100	120	5



Keep on one page

120	140	6
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- D. The provisions of this subsection shall apply to all parcels of land legally existing on the effective date of enactment of Ordinance 1990-25, dated December 10, 1990. Regardless of size, no tract of land subsequently subdivided from its parent tract shall qualify for additional single-family detached dwellings or lots pursuant to this section. Similarly, any subsequent owner of any parcel of land legally existing as of December 10, 1990, shall be bound by the actions of any previous subdivisions for purposes of additional single-family detached or attached dwellings and the number of lots, if any, remaining from the original number permitted in this section.
- E. Any land development, the purpose of which is to permit the erection of a permanent single-family detached dwelling, conversion of a farm house into a two-unit dwelling or the creation of an accessory dwelling unit on a tract which has been previously improved with a dwelling which also will remain upon the tract, shall be considered a subdivision for the purposes of this subsection. It is the purpose and intent of this subsection to limit the development of agricultural tracts regardless of whether such development is accomplished by subdivision or land development as those terms are defined in the Pennsylvania Municipalities Planning Code.
- F. Any subdivision or land development plan hereafter filed for a tract of land in the Agricultural District shall specify which lot or lots shall carry with them the right to erect or place thereon any unused quota of single-family detached or attached dwellings as determined by the provisions of this subsection.
- G. Single-family detached dwellings permitted by Section 605.3 of this ordinance shall be grouped so that no more than one additional access to an existing public road will result. Any subdivision or land development plan hereafter filed for a tract of land in the Agricultural District shall include a sketch plan, in accordance with the Subdivision and Land Development Ordinance, indicating all future development permitted by 605.3 of this ordinance.
- H. In the event a tract of land which was not classified as part of the Agricultural District on the effective date of this ordinance is hereafter classified as part of the Agricultural District, the size and ownership of such tract of land shall be determined as of the effective date of the change in the zoning classification.
- I. In those areas of the district where public water and public sewer are not provided or where only public water or public sewer exists, lots which are permitted as stated in Section 605.3 are subject to the following:
 - (1) Minimum lot area: 43,560 square feet.
 - (2) Maximum lot area: 65,340 square feet.
 - (3) Minimum lot width:

- [a] At street line: 100 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 200 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 35 feet. (See Section 2213)
 - [b] Side yard, each side: 15 feet.
 - [c] Rear yard: 35 feet.
 - (6) Minimum open area: 80%.
- J. In those areas of the district where both public water and public sewer are provided, lots which are permitted as stated in Section 605.3 are subject to the following:
- (1) Minimum lot area: 20,000 square feet.
 - (2) Maximum lot area: 43,560 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 60 feet.
 - [b] At front yard setback line: 100 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 35 feet. (See Section 2213).
 - [b] Side yard, each side: 15 feet.
 - [c] Rear yard: 35 feet.
 - (6) Minimum open area: 80%.
- K. No subdivision shall be permitted which shall increase the lot used for residential purposes in excess of the maximum lot size as set forth in Subsection 3(I) and (J) above. Any lot which is two or fewer acres in size shall be presumed to be used for residential purposes, and the size of such lot shall not be increased.
- L. A subdivision, the sole purpose of which is to transfer land to increase the size of a tract being used for agricultural purposes, where both the tract from which the land is taken and the tract to which the land is added will be 25 acres or greater after such subdivision, shall not be included when computing the permissible number of lots to be subdivided from a tract as set forth in Subsection 3(A) and (B) above. However, any lot add-on, regardless of size, shall affect the allocation of transferable development rights for purposes of Article XXVI.
- M. One (1) transferable development right is required for any subdivision of land with the exception defined in Section 605.3.L., for the construction of a single family

detached or attached dwelling, conversion of a farm house into a two-unit dwelling or the creation of an accessory dwelling unit.

- N. A subdivision to create a lot which will be transferred to the Township, a municipal authority created by the Township, or another governmental body shall not be included when computing the permissible number of lots to be subdivided from a tract as set forth in Subsection 3(A) and 3(B) and (2) above.

SECTION 606. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY SPECIAL EXCEPTION

1. Maximum building height: 35 feet; however, all structures are subject to Section 2208 and 2214 of this Ordinance.
2. Conversion of a single-family detached farm dwelling which existed at the date of enactment of Ordinance 1990-25, dated December 10, 1990:
 - A. Conversion into a two-family dwelling.
 - B. Lot Area: The lot shall contain a minimum of 20,000 square feet for each of the dwelling units when public sewer and water is provided. The minimum lot size shall be increased if public sewer or public water is not provided and subject to PADEP approval.
 - C. Parking: Adequate off-street parking shall be provided in accordance with Article XX.
 - D. An approved method of sewage disposal shall be installed or if one exists verification that the system is functioning and adequate for the intended flows.
 - E. There shall be no extension of the building other than as may be required for access or for safety.
3. Bed-and-breakfast establishments. Such establishments shall comply with the requirements of Section 2505.
4. Telecommunications tower. Such uses shall comply with the requirements of Section 2516.
5. Anaerobic and manure digesters as an accessory use. Such uses shall comply with the requirements of Section 2503.4.
6. Accessory dwelling units. Such uses shall comply with the requirements of Section 2515.

SECTION 607. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY CONDITION

1. Farm related occupation. Such establishments shall comply with the requirements of Section 2503.2.

2. Elementary schools with classes only through grade eight, a total enrollment of no more than 50 children, and which serve the farming community.
 - A. Maximum building height: 20 feet; however, all structures are subject to Section 2208 and Section 2214 of this Ordinance.
 - B. Lot area:
 - (1) Minimum: two acres.
 - (2) Maximum: five acres.
 - C. Maximum building size: 5,000 gross floor area.
 - D. Minimum lot width:
 - (1) At street line: 100 feet.
 - (2) At front yard setback line: 150 feet.
 - E. Minimum lot depth: 200 feet.
 - F. Minimum yard dimensions:
 - (1) Front yard: 40 feet. (See Section 2213)
 - (2) Side yard, each side: 25 feet.
 - (3) Rear yard: 50 feet.
 - G. Minimum open area: 80%.
3. Agricultural composting operations. Such uses shall comply with the requirements of Section 2521.
4. Agritourism enterprises. Such uses shall comply with the requirements of Section 2503.3.
5. Aquaculture enterprises. Such uses shall comply with the requirements of Section 2503.7.
6. Stables for boarding horses, riding schools, and large animal veterinary office:
 - A. Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
 - B. Minimum lot depth: 200 feet.
 - C. Minimum yard dimensions:
 - [a] Front yard: 35 feet. (See Section 2213)
 - [b] Side yard, each side: 50 feet.
 - [c] Rear yard: 50 feet.
 - D. Minimum open area: 75%.

- E. Landscaping and screening. (See Section 2512 and Section 2513)
 - F. Such uses shall comply with the requirements of Section 2503.6.
7. Wind energy systems as an accessory use. Such uses shall comply with the requirements of Section 2522.

SECTION 608. SUPPLEMENTAL REGULATIONS

The uses in this district are also subject to applicable regulations contained in the following articles:

- 1. Article XVIII, Signs.
- 2. Article XX, Off-Street Parking and Loading.
- 3. Article XXI, Accessory Uses.
- 4. Article XXII, General Regulations.
- 5. Article XXV, Performance Standards.

Township of Manheim

Uses Within Residential Districts

See also applicable T-Zone Overlay District for additional use regulations.

KEY:

X = Right

SE = Special exception

C = Conditional

	R-1	R-2	R-3
Accessory dwelling units	SE	SE	SE
Agricultural, horticulture, hydroponic uses and necessary buildings	X	X	X
Agritourism	C	C	
Apartment dwellings			X
Bed-and-breakfast establishments	SE	SE	
Boardinghouses			SE
Houses of worship	SE	SE	SE
Community clubs		C	C
Conversion of large nonresidential buildings		SE	
Conversion of single-family detached farm dwelling	SE	SE	
Duplex dwellings			X
Elementary and secondary schools	SE	SE	SE
Farm related occupations	C	C	
Forestry	X	X	X
Golf courses	SE	SE	
Group homes	X	X	X
Home occupation, major	SE	SE	SE
Home occupation, minor	X	X	X
Horticultural uses	X		
Kennels	SE		
Large animal veterinary office	C		
Mobile home parks			C
Municipal Uses	X	X	X
No-impact home-based business	X	X	X
Planned residential developments	C	C	C
Public parks and recreation areas	X	X	X
Public utility installations	C	C	C
Regional Stormwater Facility	X	X	X
Single-family detached dwellings	X	X	X
Single-family semidetached dwellings		X	X
Stables and riding schools	C		
Telecommunications towers, attached	C	C	C
Townhouse dwellings			X

Amended by Ordinance 2021-04, dated June 28, 2021

ARTICLE VII. RESIDENTIAL DISTRICT R-1 (Amended by Ordinance 2021-04, dated June 28, 2021)

SECTION 701. PURPOSE

It is the purpose of this district to encourage continued agricultural activities in those parts of the Township where agriculture is the predominant use and to provide for controlled expansion of lower-density residential development in those areas where public sewer and water facilities are available.

SECTION 702. USES BY RIGHT

Uses by right shall be as follows:

1. Agricultural uses and necessary buildings, including farm dwellings and structures related to the tilling of the land, the raising of farm products, the raising and keeping of horses, cattle, alpacas, llamas, emus and other livestock, the raising of poultry and poultry products, and the sale of farm products produced on-site and sold on a retail basis in accordance with Section 2503.
2. Single-family detached dwellings.
3. Horticultural and hydroponic uses, including temporary and permanent greenhouses, related to the raising, propagating and selling of trees, shrubs, flowers, and other vegetative material and the sale of such products produced on-site and sold in accordance with Section 2503.
4. Public parks and public recreation areas.
5. Forestry.
6. Home occupation, minor.
7. No-impact home-based business.
8. Municipal Uses.
9. Regional Stormwater Facility.
10. Accessory buildings and uses customarily incidental to the above permitted uses.

SECTION 703. SPECIAL EXCEPTION USES

The following uses are permitted as a special exception when authorized by the Zoning Hearing Board. In granting the special exception, the Board may attach certain conditions to its approval which, in addition to the requirements listed within this ordinance, it feels are necessary requirements in order to preserve and protect the character of the district in which the proposed use would be located.

1. Conversion of a single-family detached farm dwelling
2. Kennels for boarding of dogs and other domestic animals.
3. Houses of worship.

4. Elementary and secondary schools.
5. Golf courses.
6. Bed-and-breakfast establishments.
7. Accessory dwelling units.
8. Home occupation, major.
9. Accessory buildings and uses customarily incidental to the above special exception uses.

SECTION 704. CONDITIONAL USES

The following uses are permitted by conditional use when authorized by the Board of Commissioners:

1. Farm related occupation.
2. Planned residential development.
3. Public utility installation.
4. Telecommunications tower, attached.
5. Agritourism.
6. Stables for boarding horses, riding schools and large animal veterinary office.
7. Accessory buildings and uses customarily incidental to the above conditional uses.

SECTION 705. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY RIGHT

1. Maximum building height: 35 feet; however, farm buildings and farm accessory buildings shall not exceed 85 feet in height measured from grade. All structures are subject to Section 2208 and Section 2214 of this ordinance.
2. Minimum lot requirements:
 - A. Agricultural uses or forestry: Such uses shall comply with the requirements of Section 2503.
 - (1) Minimum lot area: 10 acres.
 - (2) Minimum lot width: none.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard:
 - [i] Farm dwelling: 35 feet. (See Section 2213)
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.

- [ii] Other permanent structures: 75 feet.
- [b] Side yard:
 - [i] Farm dwelling, each side: 15 feet.
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property lines and 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet from all property lines.
- [c] Rear yard:
 - [i] Farm dwelling: 35 feet.
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property lines and 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.
- (5) Minimum open area: 75%.
- (6) Sale of farm and/or garden products on a retail basis. Such uses shall comply with the requirements of Section 2503.1.

B. Single-family detached dwellings.

(1) Permitted lots.

- [a] In those areas of the district where public water and public sewer are not provided, or where only public water or public sewer exists, the owner of record shall be permitted to sell and/or build on lots according to the following:

Size of Total Tract	No. of Dwelling Units/Lots Permitted
0 to 10 acres	1
11 to 25 acres	2
26 to 45 acres	3
46 to 70 acres	4
71 to 100 acres	5
Over 100 acres	6, plus 1 dwelling unit for every 30 acres over 100 acres

- [b] No more than two driveways shall be permitted to have access to a public road. If more than two driveways are needed to provide access to the residential lots, a single access drive leading to a cluster of lots should be

considered.

- (2) In those areas of the district where public water and public sewer are not provided, or where only public water or public sewer exists, lots which are permitted as stated in Section 705.2.B(1)(a) are subject to the following:
 - [a] Minimum lot area: 60,000 square feet.
 - [b] Minimum lot width:
 - [i] At street line: 100 feet.
 - [ii] At front yard setback line: 150 feet.
 - [c] Minimum lot depth: 200 feet.
 - [d] Minimum yard dimensions:
 - [i] Front yard: 30 feet. (See Section 2213)
 - [ii] Side yard, each side. 15 feet.
 - [iii] Rear yard: 35 feet.
 - [e] Minimum open area: 80%.
- (3) In those areas of the district where both public water and public sewer are provided, lots are permitted as follows:
 - [a] Minimum lot area: 20,000 square feet.
 - [b] Minimum lot width:
 - [i] At street line: 60 feet.
 - [ii] At front yard setback line: 100 feet.
 - [c] Minimum lot depth: 150 feet.
 - [d] Minimum yard dimensions:
 - [i] Front yard: 30 feet. (See Section 2213)
 - [ii] Side yard, each side: 15 feet.
 - [iii] Rear yard: 35 feet.
 - [e] Minimum open area: 50%.
- (4) In those area of the district where both public water and public sewer are provided and a proposed development utilizes transferable development rights in accordance with Article XXVI, Transfer of Development Rights (TDR), of this ordinance, lots are permitted as follows:
 - [a] Minimum lot area: 10,000 square feet.
 - [b] Minimum lot width:

- [i] At street line: 45 feet.
 - [ii] At front yard setback line: 75 feet.
 - [c] Minimum lot depth: 100 feet.
 - [d] Minimum yard dimensions:
 - [i] Front yard: 25 feet. (See Section 2213)
 - [ii] Side yard: eight feet.
 - [iii] Rear yard: 25 feet.
 - [e] Minimum open area: 40%.
- C. Horticultural and hydroponic uses: Such uses shall comply with the requirements of Section 2503.
 - (1) Minimum lot area: 10 acres.
 - (2) Minimum lot width: none.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard:
 - [i] Dwelling: 35 feet. (See Section 2213)
 - [ii] Other permanent structures: 75 feet.
 - [b] Side yard:
 - [i] Dwelling, each side: 15 feet.
 - [ii] Other permanent structures: 75 feet from all property lines.
 - [c] Rear yard:
 - [i] Dwelling: 35 feet.
 - [ii] Other permanent structures: 75 feet.
 - (5) Minimum open area: 75%.
- D. Public parks and public recreation areas:
 - (1) Minimum lot area: none.
 - (2) Minimum lot width: 50 feet.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard: 35 feet. (See Section 2213)
 - [b] Side yard, each side: 20 feet.

- [c] Rear yard: 35 feet.
- (5) Minimum open area: none.
- E. Conversion of a single-family detached farm dwelling which existed at the date of enactment of Ordinance 1990-25, dated December 10, 1990:
 - (1) Conversion into a two-family dwelling.
 - (2) Lot Area: The lot shall contain a minimum of 20,000 square feet for each of the dwelling units when public sewer and water is provided. The minimum lot size shall be increased if public sewer or public water is not provided and subject to PADEP approval.
 - (3) Parking: Adequate off-street parking shall be provided in accordance with Article XX.
 - (4) An approved method of sewage disposal shall be installed or if one exists verification that the system is functioning and adequate for the intended flows.
 - (5) There shall be no extension of the building other than as may be required for access or for safety.
- F. Home occupation, minor. Such uses shall comply with the requirements of Section 2110.

SECTION 706. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY SPECIAL EXCEPTION

- 1. Maximum building height: 35 feet; however, all structures are subject to Section 2208 and Section 2214 of this ordinance.
- 2. Minimum lot requirements:
 - A. Kennels:
 - (1) Minimum lot area: 5 acres.
 - (2) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
 - (3) Minimum lot depth: 200 feet.
 - (4) Minimum yard dimensions:
 - [a] Front yard: 35 feet. (See Section 2213)
 - [b] Side yard, each side: 50 feet.
 - [c] Rear yard: 50 feet.

- (5) Minimum open area: 75%.
 - (6) Landscaping and screening. (See Section 2512 and Section 2513)
- B. Houses of worship:
- (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 5 acres.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 200 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 35 feet. (See Section 2213)
 - [b] Side yard, each side: 50 feet.
 - [c] Rear yard: 50 feet.
 - (6) Minimum open area: 50%.
 - (7) Landscaping and screening. (See Section 2512 and Section 2513)
- C. Elementary and secondary schools:
- (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 10 acres.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 200 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 35 feet. (See Section 2213)
 - [b] Side yard, each side: 50 feet.
 - [c] Rear yard: 50 feet.
 - (6) Minimum open area: 65%.
- D. Golf courses:
- (1) Minimum lot area: 100 acres for an eighteen-hole course or 50 acres for a nine-hole course.
 - (2) Minimum lot width: 50 feet.

- (3) Minimum lot depth: none.
- (4) Minimum yard dimensions:
 - [a] Front yard: 35 feet. (See Section 2213)
 - [b] Side yard, each side: 50 feet.
 - [c] Rear yard: 50 feet.
- (5) Minimum open area: 80%.
- (6) Landscaping and screening. (See Section 2512 and Section 2513)
- E. Bed-and-breakfast establishments. Such uses shall comply with the requirements of Section 2505.
- F. Accessory dwelling units. Such uses shall comply with the requirements of Section 2515.
- G. Home occupation, major. Such uses shall comply with the requirements of Section 2110.

SECTION 707. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY CONDITION

- 1. Farm related occupation. Such uses shall comply with the requirements of Section 2503.2.
- 2. Agritourism. Such uses shall comply with the requirements of Section 2503.3.
- 3. Stables for boarding horses, riding schools and large animal veterinary office:
 - A. Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
 - B. Minimum lot depth: 200 feet.
 - C. Minimum yard dimensions:
 - [a] Front yard: 35 feet. (See Section 2213)
 - [b] Side yard, each side: 50 feet.
 - [c] Rear yard: 50 feet.
 - D. Minimum open area: 75%.
 - E. Landscaping and screening. (See Section 2512 and Section 2513)
 - F. Such uses shall comply with the requirements of Section 2503.6.
- 4. Planned residential development. Such uses shall comply with Article XIX.
- 5. Public utility installations:

- A. Minimum lot area: none.
 - B. Minimum lot width: none.
 - C. Minimum lot depth: none.
 - D. Minimum yard dimensions:
 - (1) Front yard: 25 feet. (See Section 2213)
 - (2) Side yard, each side: 10 feet.
 - (3) Rear yard: 10 feet.
 - E. Minimum open area: none.
 - F. Landscaping and screening. (See Section 2512 and Section 2513)
6. Telecommunication tower, attached. Such uses shall comply with the requirements of Section 2516.

SECTION 708. SUPPLEMENTAL REGULATIONS

The uses in this district are also subject to applicable regulations contained in the following articles:

- 1. Article XVIII, Signs.
- 2. Article XX, Off-Street Parking and Loading.
- 3. Article XXI, Accessory Uses.
- 4. Article XXII, General Regulations.
- 5. Article XXIV, T-Zone Overlay Area.
- 6. Article XXV, Performance Standards.

Township of Manheim

Uses Within Residential Districts

See also applicable T-Zone Overlay District for additional use regulations.

KEY:

X = Right

SE = Special exception

C = Conditional

	R-1	R-2	R-3
Accessory dwelling units	SE	SE	SE
Agricultural, horticulture, hydroponic uses and necessary buildings	X	X	X
Agritourism	C	C	
Apartment dwellings			X
Bed-and-breakfast establishments	SE	SE	
Boardinghouses			SE
Houses of worship	SE	SE	SE
Community clubs		C	C
Conversion of large nonresidential buildings		SE	
Conversion of single-family detached farm dwelling	SE	SE	
Duplex dwellings			X
Elementary and secondary schools	SE	SE	SE
Farm related occupations	C	C	
Forestry	X	X	X
Golf courses	SE	SE	
Group homes	X	X	X
Home occupation, major	SE	SE	SE
Home occupation, minor	X	X	X
Horticultural uses	X		
Kennels	SE		
Large animal veterinary office	C		
Mobile home parks			C
Municipal Uses	X	X	X
No-impact home-based business	X	X	X
Planned residential developments	C	C	C
Public parks and recreation areas	X	X	X
Public utility installations	C	C	C
Regional Stormwater Facility	X	X	X
Single-family detached dwellings	X	X	X
Single-family semidetached dwellings		X	X
Stables and riding schools	C		
Telecommunications towers, attached	C	C	C
Townhouse dwellings			X

Amended by Ordinance 2021-04, dated June 28, 2021

ARTICLE VIII. RESIDENTIAL DISTRICT R-2 (Amended by Ordinance 2021-04, dated June 28, 2021)

SECTION 801. PURPOSE

It is the purpose of this district to maintain existing residential areas and to allow for development of those areas which have public water and public sewer facilities.

SECTION 802. USES BY RIGHT

Uses by right shall be as follows:

1. Agricultural, horticulture, hydroponic uses and necessary buildings, including farm dwellings and structures related to the tilling of the land, the raising of farm products, the raising and keeping of horses, cattle, alpacas, llamas, emus and other livestock, the raising of poultry and poultry products, and the sale of farm products produced on-site and sold on a retail basis in accordance with Section 2503.
2. Single-family detached dwellings.
3. Single-family semidetached dwellings.
4. Public parks and public recreation areas.
5. Forestry.
6. Home occupation, minor.
7. No-impact home-based business.
8. Municipal Uses.
9. Regional Stormwater Facility.
10. Accessory buildings and uses customarily incidental to the above permitted uses.

SECTION 803. SPECIAL EXCEPTION USES

The following uses are permitted as a special exception when authorized by the Zoning Hearing Board. In granting any special exception, the Board may attach certain conditions to its approval which, in addition to the requirements listed within this ordinance, it feels are necessary requirements in order to preserve and protect the character of the district in which the proposed use would be located.

1. Houses of worship.
2. Elementary and secondary schools.
3. Conversion of a single-family detached farm dwelling.
4. Golf courses.
5. Bed-and-breakfast establishments.
6. Accessory dwelling unit.
7. Home occupation, major.

8. Conversion of large nonresidential building. (See Section 2530)
9. Accessory uses and structures customarily incidental to the above special exception uses.

SECTION 804. CONDITIONAL USES

The following uses are permitted by conditional use when authorized by the Board of Commissioners:

1. Planned residential developments.
2. Public utility installations.
3. Community clubs.
4. Telecommunications towers, attached.
5. Farm related occupations.
6. Agritourism.
7. Accessory uses and structures customarily incidental to the above conditional uses.

SECTION 805. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY RIGHT

1. Maximum building height: 35 feet, unless otherwise specified in the applicable T-Zone Overlay; however, all structures are subject to Section 2208 and Section 2214 of this ordinance.
2. Minimum lot requirements:
 - A. Agricultural uses or forestry: Such uses shall comply with the requirements of Section 2503.
 - (1) Minimum lot area: 10 acres.
 - (2) Minimum lot width: none.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard:
 - [i] Farm dwelling: 35 feet. (See Section 2213)
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.
 - [b] Side yard:
 - [i] Farm dwelling, each side: 12 feet.
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent

property.

[iii] Other permanent structures: 75 feet from all property lines.

[c] Rear yard:

[i] Farm dwelling: 35 feet.

[ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.

[iii] Other permanent structures: 75 feet.

(5) Minimum open area: 75%.

(6) Sale of farm and/or garden products on a retail basis. Such uses shall comply with the requirements of Section 2503.1.

B. Single-family detached dwellings.

(1) Permitted lots.

[a] In those areas of the district where public water and public sewer are not provided, or where only public water or public sewer exists, the owner of record shall be permitted to sell and/or build on lots according to the following:

Size of Total Tract	No. of Dwelling Units Permitted
0 to 10 acres	1
11 to 25 acres	2
26 to 45 acres	3
46 to 70 acres	4
71 to 100 acres	5
Over 100 acres	6, plus 1 dwelling unit for every 30 acres over 100 acres

[b] No more than two driveways shall be permitted to have access to a public road. If more than two driveways are needed to provide access to the residential lots, a single access drive leading to a cluster of lots should be considered.

(2) In those areas of the district where public water and public sewer are not provided or where only public water or public sewer exists, lots which are permitted as stated in Section 805.2.B(1)[a] are subject to the following:

[a] Minimum lot area: 60,000 square feet.

- [b] Minimum lot width:
 - [i] At street line: 100 feet.
 - [ii] At front yard setback line: 150 feet.
 - [c] Minimum lot depth: 200 feet.
 - [d] Minimum yard dimensions:
 - [i] Front yard: 25 feet. (See Section 2213)
 - [ii] Side yard, each side: 12 feet.
 - [iii] Rear yard: 35 feet.
 - [e] Minimum open area: 80%.
- (3) In those areas of the district where both public water and public sewer are provided, lots are permitted as follows:
- [a] Minimum lot area: 15,000 square feet.
 - [b] Minimum lot width:
 - [i] At street line: 60 feet.
 - [ii] At front yard setback line: 100 feet.
 - [c] Minimum lot depth: 150 feet.
 - [d] Minimum yard dimensions:
 - [i] Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [ii] Side yard, each side: 15 feet.
 - [iii] Rear yard: 35 feet.
 - [e] Minimum open area: 50%.
- (4) In those areas of the district where both public water and public sewer are provided and a proposed development utilizes transferable development rights in accordance with Article XXVI, Transfer of Development Rights (TDR), of this ordinance, lots are permitted as follows:
- [a] Minimum lot area: 7,500 square feet.
 - [b] Minimum lot width:
 - [i] At street line: 45 feet.
 - [ii] At front yard setback line: 75 feet.
 - [c] Minimum lot depth: 100 feet.
 - [d] Minimum yard dimensions:
 - [i] Front yard: 25 feet, unless otherwise specified in the applicable

T-Zone Overlay or Section 2213.

[ii] Side yard: 8 feet.

[iii] Rear yard: 25 feet.

[e] Minimum open area: 40%.

C. Single-family semidetached dwellings.

(1) In those areas of the district where both public water and public sewer are provided, single-family semidetached lots are permitted as follows:

[a] Minimum lot area: 10,000 square feet per unit.

[b] Minimum lot width (per unit):

[i] At street line: 50 feet per unit.

[ii] At front yard setback line: 60 feet.

[c] Minimum lot depth: 100 feet.

[d] Minimum yard dimensions:

[i] Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.

[ii] Side yard: eight feet (one side yard per unit).

[iii] Rear yard: 25 feet. [e] Minimum open area: 35% per unit.

(2) In those areas of the district where both public water and public sewer are provided and a proposed development utilizes transferable development rights in accordance with Article XXVI, Transfer of Development Rights (TDR), of this ordinance, lots are permitted as follows:

[a] Minimum lot area: 5,000 square feet per unit.

[b] Minimum lot width (per unit):

[i] At street line: 35 feet.

[ii] At front yard setback line: 35 feet.

[c] Minimum lot depth: 100 feet.

[d] Minimum yard dimensions:

[i] Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.

[ii] Side yard: eight feet (one side yard per unit).

[iii] Rear yard: 25 feet.

[e] Minimum open area: 30% per unit.

D. Public parks and public recreation areas:

- (1) Minimum lot area: none.
- (2) Minimum lot width: 50 feet.
- (3) Minimum lot depth: none.
- (4) Minimum yard dimensions:
 - [a] Front yard: 35 feet. (See Section 2213)
 - [b] Side yard, each side: 20 feet.
 - [c] Rear yard: 35 feet.
- (5) Minimum open area: none.

E. Home occupation, minor. Such use shall comply with the requirements of Section 2110.

SECTION 806. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY SPECIAL EXCEPTION

- 1. Maximum building height: 35 feet, unless otherwise specified in the applicable T-Zone Overlay; however, all structures are subject to Section 2208 and Section 2214 of this ordinance.
- 2. Minimum lot requirements:
 - A. Houses of worship:
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 5 acres.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 200 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 35 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 50 feet.
 - [c] Rear yard: 50 feet.
 - (6) Minimum open area: 50%.
 - (7) Landscaping and screening. (See Section 2512 and Section 2513)
 - B. Elementary and secondary schools:
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 10 acres.

- (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 200 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 35 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 50 feet.
 - [c] Rear yard: 50 feet.
 - (6) Minimum open area: 65%.
- C. Golf courses:
- (1) Minimum lot area: 100 acres for an eighteen-hole course or 50 acres for a nine-hole course.
 - (2) Minimum lot width: 50 feet.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard: 35 feet. (See Section 2213)
 - [b] Side yard, each side: 50 feet.
 - [c] Rear yard: 50 feet.
 - (5) Minimum open area: 80%.
 - (6) Landscaping and screening. (See Section 2512 and Section 2513)
- D. Bed-and-breakfast establishments. Such uses shall comply with the requirements of Section 2505.
- E. Accessory dwelling units. Such uses shall comply with the requirements of Section 2515.
- F. Home occupation, major. Such uses shall comply with the requirements of Section 2110.
- G. Conversion of large nonresidential building.
- (1) The conversion shall not require compliance with current setback, coverage or other lot and area requirements of the ordinance, subject to meeting the following:
 - [a] Any existing non-conformity shall not be increased without variance approval.
 - [b] Subdivision or land development approval is not otherwise required.

- (2) Any permitted additions shall comply with the following:
 - [a] Minimum yard dimensions:
 - [i] Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [ii] Side yard: each side: 50 feet; and
 - [iii] Rear yard: 50 feet
 - [b] Minimum open area: 50%
 - [c] Landscaping and screening. (See Section 2512 and Section 2513)

H. Conversion of a single-family detached farm dwelling which existed at the date of enactment of Ordinance 1990-25, dated December 10, 1990:

- (1) Conversion into a two-family dwelling.
- (2) Lot Area: The lot shall contain a minimum of 20,000 square feet for each of the dwelling units when public sewer and water is provided. The minimum lot size shall be increased if public sewer or public water is not provided and subject to PADEP approval.
- (3) Parking: Adequate off-street parking shall be provided in accordance with Article XX.
- (4) An approved method of sewage disposal shall be installed or if one exists verification that the system is functioning and adequate for the intended flows.
- (5) There shall be no extension of the building other than as may be required for access or for safety.

SECTION 807. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY CONDITION

- 1. Planned residential developments. Such uses shall comply with the requirements of Article XIX, Planned Residential provisions.
- 2. Public utility installations:
 - A. Minimum lot area: none.
 - B. Minimum lot width: none.
 - C. Minimum lot depth: none.
 - D. Minimum yard dimensions:
 - (1) Front yard: 25 feet. (See Section 2213)
 - (2) Side yard, each side: 10 feet.
 - (3) Rear yard: 10 feet.

- E. Minimum open area: none.
 - F. Landscaping and screening. (See Section 2512 and Section 2513)
3. Community clubs.
- A. Sewer and water. Both public sewer and public water are required.
 - B. Minimum lot area: 10 acres.
 - C. Minimum lot width:
 - (1) At street line: 100 feet.
 - (2) At front yard setback line: 150 feet.
 - D. Minimum lot depth: 200 feet.
 - E. Minimum yard dimensions:
 - (1) Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - (2) Side yard, each side: 50 feet.
 - (3) Rear yard: 50 feet.
 - F. Minimum open area: 50%.
 - G. Landscaping and screening. (See Section 2512 and Section 2513)
4. Telecommunications towers, attached. Such uses shall comply with the requirements of Section 2516.
5. Farm related occupation. Such uses shall comply with the requirements of Section 2503.2.
6. Agritourism. Such uses shall comply with the requirements of Section 2503.3.

SECTION 808. SUPPLEMENTAL REGULATIONS

The uses in this district are also subject to applicable regulations contained in the following articles:

- 1. Article XVIII, Signs.
- 2. Article XX, Off-Street Parking and Loading.
- 3. Article XXI, Accessory Uses.
- 4. Article XXII, General Regulations.
- 5. Article XXIV, T-Zone Overlay Area.
- 6. Article XXV, Performance Standards.

Township of Manheim

Uses Within Residential Districts

See also applicable T-Zone Overlay District for additional use regulations.

KEY:

X = Right

SE = Special exception

C = Conditional

	R-1	R-2	R-3
Accessory dwelling units	SE	SE	SE
Agricultural, horticulture, hydroponic uses and necessary buildings	X	X	X
Agritourism	C	C	
Apartment dwellings			X
Bed-and-breakfast establishments	SE	SE	
Boardinghouses			SE
Houses of worship	SE	SE	SE
Community clubs		C	C
Conversion of large nonresidential buildings		SE	
Conversion of single-family detached farm dwelling	SE	SE	
Duplex dwellings			X
Elementary and secondary schools	SE	SE	SE
Farm related occupations	C	C	
Forestry	X	X	X
Golf courses	SE	SE	
Group homes	X	X	X
Home occupation, major	SE	SE	SE
Home occupation, minor	X	X	X
Horticultural uses	X		
Kennels	SE		
Large Animal Veterinary Office	C		
Mobile home parks			C
Municipal Uses	X	X	X
No-impact home-based business	X	X	X
Planned residential developments	C	C	C
Public parks and recreation areas	X	X	X
Public utility installations	C	C	C
Regional Stormwater Facility	X	X	X
Single-family detached dwellings	X	X	X
Single-family semidetached dwellings		X	X
Stables and riding schools	C		
Telecommunications towers, attached	C	C	C
Townhouse dwellings			X

Amended by Ordinance 2021-04, dated June 28, 2021

ARTICLE IX. RESIDENTIAL DISTRICT R-3 (Amended by Ordinance 2021-04, dated June 28, 2021)

SECTION 901. PURPOSE

It is the purpose of this district to permit medium- and higher-density residential development by permitting a variety of dwelling types.

SECTION 902. USES BY RIGHT

Uses by right shall be as follows:

1. Agricultural, horticulture, hydroponic uses and necessary buildings, including farm dwellings and structures related to the tilling of the land, the raising of farm products, the raising and keeping of horses, cattle, alpacas, llamas, emus and other livestock, the raising of poultry and poultry products, and the sale of farm - products produced on-site and sold on a retail basis in accordance with Section 2503.
2. Single-family detached dwellings.
3. Single-family semidetached dwellings.
4. Duplex dwellings.
5. Townhouse dwellings.
6. Apartment dwellings.
7. Public parks and public recreation areas.
8. Forestry.
9. Home occupation, minor.
10. No-impact home-based business.
11. Municipal Uses.
12. Regional Stormwater Facility.
13. Accessory buildings and uses customarily incidental to the above permitted uses.

SECTION 903. SPECIAL EXCEPTION USES

The following uses are permitted as a special exception when authorized by the Zoning Hearing Board. In granting any special exception, the Board may attach certain conditions to its approval which, in addition to the requirements listed within this chapter, it feels are necessary requirements in order to preserve and protect the character of the district in which the proposed use would be located.

1. Houses of worship.
2. Elementary and secondary schools.
3. Boardinghouses.
4. Accessory dwelling unit.

5. Home occupation, major.
6. Accessory buildings and uses customarily incidental to the above special exception uses.

SECTION 904. CONDITIONAL USES

The following uses are permitted by conditional use when authorized by the Board of Commissioners:

1. Planned residential developments.
2. Public utility installations.
3. Mobile home parks.
4. Community clubs.
5. Telecommunications tower, attached.
6. Accessory buildings and uses customarily incidental to the above conditional uses.

SECTION 905. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY RIGHT

1. Maximum building height: 35 feet, unless otherwise specified in the applicable T-Zone Overlay; however, all structures are subject to Section 2208 and Section 2214 of this ordinance.
2. Minimum lot requirements:
 - A. Agricultural uses or forestry: Such uses shall comply with the requirements of Section 2503.
 - (1) Minimum lot area: 10 acres.
 - (2) Minimum lot width: none.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard:
 - [i] Farm dwelling: 25 feet. (See Section 2213)
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.
 - [b] Side yard:
 - [i] Farm dwelling, each side: 10 feet.
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.

[iii] Other permanent structures: 75 feet from all property lines.

[c] Rear yard:

[i] Farm dwelling: 35 feet.

[ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.

[iii] Other permanent structures: 75 feet.

(5) Minimum open area: 75%.

(6) Sale of farm products on a retail basis. Such activities shall comply with the requirements of Section 2503.1.

B. Single-family detached dwellings.

(1) Permitted lots.

[a] In those areas of the district where public water and public sewer are not provided, or where only public water or public sewer exists, the owner of record shall be permitted to sell and/or build on lots according to the following:

Size of Total Tract	No. of Dwelling Units/Lots Permitted
0 to 10 acres	1
11 to 25 acres	2
26 to 45 acres	3
46 to 70 acres	4
71 to 100 acres	5
Over 100 acres	6, plus 1 dwelling unit for every 30 acres over 100 acres

[b] No more than two driveways shall be permitted to have access to a public road. If more than two driveways are needed to provide access to the residential lots, a single access drive leading to a cluster of lots should be considered.

(2) In those areas of the district where public water and public sewer are not provided or where only public water or public sewer exists, lots which are permitted as stated in Section 905.2.B(1)[a] are subject to the following:

[a] Minimum lot area: 60,000 square feet.

[b] Minimum lot width:

- [i] At street line: 100 feet.
 - [ii] At front yard setback line: 150 feet.
 - [c] Minimum lot depth: 200 feet.
 - [d] Minimum yard dimensions:
 - [i] Front yard: 25 feet unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [ii] Side yard, each side: 10 feet.
 - [iii] Rear yard: 35 feet.
 - [e] Minimum open area: 80%.
 - (3) In those areas of the district where both public water and public sewer are provided, lots are permitted as follows:
 - [a] Minimum lot area: 7,000 square feet.
 - [b] Minimum lot width:
 - [i] At street line: 50 feet.
 - [ii] At front yard setback line: 70 feet.
 - [c] Minimum lot depth: 100 feet.
 - [d] Minimum yard dimensions:
 - [i] Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [ii] Side yard, each side: 10 feet.
 - [iii] Rear yard: 35 feet.
 - [e] Minimum open area: 50%.
- C. Single-family semidetached dwellings:
- (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 6,000 square feet per dwelling unit.
 - (3) Minimum lot width:
 - [a] At street line: 40 feet per dwelling unit.
 - [b] At front yard setback line: 50 feet per dwelling unit.
 - (4) Minimum lot depth: 100 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.

- [b] Side yard, one side:
 - [i] With attached garage or carport: 12 feet;
 - [ii] Without attached garage or carport: 24 feet.
- [c] Interior yard: none; however, any building or structural additions or revisions to a dwelling unit shall be constructed to a common wall on an interior lot line or shall be constructed a minimum distance of three feet from an interior lot line.
- [d] Rear yard: 35 feet.

(6) Minimum open area: 35%.

D. Duplex dwellings:

- (1) Sewer and water. Both public sewer and public water service are required.
- (2) Minimum lot area: 6,000 square feet per dwelling unit.
- (3) Minimum lot width:
 - [a] At street line: 75 feet.
 - [b] At front yard setback line: 100 feet.
- (4) Minimum lot depth: 100 feet.
- (5) Minimum yard dimensions:
 - [a] Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 20 feet.
 - [c] Rear yard: 35 feet.
- (6) Minimum open area: 35%.

E. Apartment dwellings.

- (1) In those areas of the district where both public water and public sewer are provided, lots are permitted as follows:
 - [a] Minimum lot area: Six thousand (6,000) square feet per dwelling unit; provided, however, that the minimum lot area shall be 20,000 square feet.
 - [b] Minimum lot width:
 - [i] At street line: 100 feet.
 - [ii] At front yard setback line: 150 feet.
 - [c] Minimum lot depth: 150 feet.
 - [d] Minimum yard dimensions:
 - [i] Front yard: 25 feet, unless otherwise specified in the applicable T-

Zone Overlay or Section 2213.

- [ii] Side yard: 30 feet from all property lines.
 - [iii] Rear yard: 50 feet all property lines.
 - [iv] Interior yards: open space between buildings on the same lot.
 - [a] When front to front, rear to rear, or front to rear, parallel buildings shall have 35 feet between faces of the building. If the front or rear faces or obliquely aligned, the above distance may be decreased by as much as 10 feet at one end if increased by similar or greater distance at the other end.
 - [b] A yard space of 30 feet is required between end walls of buildings. If the buildings are at right angles to each other, the distance between the corners of the end walls of the building may be reduced to a minimum of 25 feet.
 - [c] A yard space of 50 feet is required between end walls and front or rear faces of buildings.
 - [e] Length of building. No building shall exceed 200 feet in length unless otherwise specified in the applicable T-Zone Overlay.
 - [f] Minimum open area: 35%.
- (2) In those areas of the district where both public water and public sewer are provided and a proposed development utilizes transferable development rights in accordance with Article XXVI, Transfer of Development Rights (TDR), of this chapter, lots are permitted as follows:
- [a] Minimum lot area: 5,000 square feet per dwelling unit; provided, however, that the minimum lot area shall be 20,000 square feet.
 - [b] Minimum lot width:
 - [i] At street line: 100 feet.
 - [ii] At front yard setback line: 150 feet.
 - [c] Minimum lot depth: 150 feet.
 - [d] Minimum yard dimensions:
 - [i] Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [ii] Side yard: 30 feet from all property lines, except the side yard setback for an apartment building located adjacent to an existing residential use where the apartment building exceeds 35 feet in height shall be 75 feet on the side property line adjacent to the residential use and shall comply with the landscaping requirements set forth in Section 2512 of this ordinance. Preservation of existing vegetation within this setback is encouraged.

- [iii] Rear yard: 50 feet from all property lines, except the rear yard setback for an apartment building located adjacent to an existing residential use where the apartment building exceeds 35 feet in height shall be 75 feet on the rear property line adjacent to the residential use and shall comply with the landscaping requirements set forth in Section 2512 of this ordinance. Preservation of existing vegetation within this setback is encouraged.
- [iv] Interior yards: open space between buildings on the same lot.
 - [a] When front to front, rear to rear, or front to rear, parallel buildings shall have 35 feet between faces of the building. If the front or rear faces or obliquely aligned, the above distance may be decreased by as much as 10 feet at one end if increased by similar or greater distance at the other end.
 - [b] A yard space of 30 feet is required between end walls of buildings. If the buildings are at right angles to each other, the distance between the corners of the end walls of the building may be reduced to a minimum of 25 feet.
 - [c] A yard space of 50 feet is required between end walls and front or rear faces of buildings.
- [e] Length of building. No building shall exceed 200 feet in length unless otherwise specified in the applicable T-Zone Overlay.
- [f] Minimum open area: 35%.
- [g] Maximum building height: 35 feet; provided, however, that the maximum height may be increased to 50 feet with the acquisition of transferable development rights in accordance with Article XXVI. For each additional apartment dwelling unit or portion thereof located above 35 feet, one development right shall be acquired. All structures are subject to Section 2208 and Section 2214 of this ordinance.

F. Townhouse dwellings:

- (1) Sewer and water. Both public sewer and public water service are required.
- (2) Minimum lot area: Three thousand (3,000) square feet.
- (3) Minimum lot width:
 - [a] At street line: 16 feet per dwelling unit.
 - [b] At front yard setback line: 20 feet per dwelling unit.
- (4) Minimum lot depth: 125 feet.
- (5) Minimum yard dimensions:
 - [a] Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard: one side on end dwelling unit:

- [i] With attached garage or carport: 12 feet;
- [ii] Without attached garage or carport: 24 feet.
- [c] Interior yard: none; however, any building or structural additions or revisions to a dwelling unit shall be constructed to a common wall on an interior lot line or shall be constructed a minimum distance of three feet from an interior lot line.
- [d] Rear yard: 35 feet.
- (6) Minimum open area: 35%.
- G. Public parks and public recreation areas:
 - (1) Minimum lot area: none.
 - (2) Minimum lot width: 50 feet.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard: 25 feet. (See Section 2213)
 - [b] Side yard, each side: 20 feet.
 - [c] Rear yard: 35 feet.
 - (5) Minimum open area: none.
- H. Home occupation, minor. Such use shall comply with the requirements of Section 2110.

SECTION 906. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY SPECIAL EXCEPTION

- 1. Maximum building height: 35 feet, unless otherwise specified in the applicable T-Zone Overlay; however, all structures are subject to Section 2208 and Section 2214 of this ordinance.
- 2. Minimum lot requirements:
 - A. Houses of worship:
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 5 acres.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 200 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 25 feet, unless otherwise specified in the applicable T-Zone

Overlay or Section 2213.

[b] Side yard, each side: 50 feet.

[c] Rear yard: 50 feet.

(6) Minimum open area: 50%.

(7) Landscaping and screening. (See Section 2512 and Section 2513)

B. Elementary and secondary schools:

(1) Sewer and water. Both public sewer and public water service are required.

(2) Minimum lot area: 10 acres.

(3) Minimum lot width:

[a] At street line: 100 feet.

[b] At front yard setback line: 150 feet.

(4) Minimum lot depth: 200 feet.

(5) Minimum yard dimensions:

[a] Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2513.

[b] Side yard, each side: 50 feet.

[c] Rear yard: 50 feet.

(6) Minimum open area: 65%.

C. Boardinghouse:

(1) Sewer and water. Both public sewer and public water service are required.

(2) Minimum lot area: 30,000 square feet.

(3) Minimum lot width:

[a] At street line: 100 feet.

[b] At front yard setback line: 100 feet.

(4) Minimum lot depth: 200 feet.

(5) Minimum yard dimensions:

[a] Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.

[b] Side yard, each side: 25 feet.

[c] Rear yard: 35 feet.

(6) Minimum open area: 60%.

D. Accessory dwelling unit. Such use shall comply with the requirements of Section

2515.

- E. Home occupation, major. Such uses shall comply with the requirements of Section 2110.

SECTION 907. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY CONDITION

- 1. Planned residential developments. Such uses shall comply with the requirements of Article XIX, Planned Residential Development provisions.
- 2. Public utility installations:
 - A. Minimum lot area: none.
 - B. Minimum lot width: none.
 - C. Minimum lot depth: none.
 - D. Minimum yard dimensions:
 - (1) Front yard: 25 feet. (See Section 2213)
 - (2) Side yard, each side: 10 feet.
 - (3) Rear yard: 10 feet.
 - E. Minimum open area: none.
 - F. Landscaping and screening. (See Section 2512 and Section 2513)
- 3. Mobilehome parks. Such uses shall comply with Chapter 329, Mobilehome and Mobilehome Parks.
- 4. Community clubs:
 - A. Sewer and water. Both public sewer and public water service are required.
 - B. Minimum lot area: 5 acres.
 - C. Minimum lot width:
 - (1) At street line: 100 feet.
 - (2) At front yard setback line: 150 feet.
 - D. Minimum lot depth: 200 feet.
 - E. Minimum yard dimensions:
 - (1) Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - (2) Side yard, each side: 50 feet.
 - (3) Rear yard: 50 feet.
 - F. Minimum open area: 50%.
 - G. Landscaping and screening. (See Section 2512 and Section 2513)

5. Telecommunications tower, attached. Such uses shall comply with the requirements of Section 2516.

SECTION 908. SUPPLEMENTAL REGULATIONS

The uses in this district are also subject to applicable regulations contained in the following articles:

1. Article XVIII, Signs.
2. Article XX, Off-Street Parking and Loading.
3. Article XXI, Accessory Uses.
4. Article XXII, General Regulations.
5. Article XXIV, T-Zone Overlay Area.
6. Article XXV, Performance Standards.

ARTICLE X. INSTITUTIONAL DISTRICT (Amended by Ordinance 2021-04, dated June 28, 2021)

SECTION 1001. PURPOSE

It is the purpose of this district to permit a wide range of institutional, civic and public uses.

SECTION 1002. USES BY RIGHT

Uses by right shall be as follows:

1. Agricultural, horticulture, hydroponic uses and necessary buildings, including farmhouses and structures related to the tilling of the land, the raising of farm products, the raising and keeping of horses, cattle, alpacas, llamas, emus and other livestock, the raising of poultry and poultry products, and the sale of farm products produced on-site and sold on a retail basis in accordance with Section 2503.
2. Extended, intermediate, and long-term care facilities.
3. Retirement homes and communities.
4. Educational institutions.
5. Public parks and public recreation areas.
6. Public utility installations.
7. Forestry.
8. Dormitories as an accessory use to educational institutions.
9. Farmers markets.
10. Telecommunications tower.
11. Municipal Uses.
12. Regional Stormwater Facility.
13. Accessory buildings and uses customarily incidental to the above permitted uses.

SECTION 1003. SPECIAL EXCEPTION USES

The following uses are permitted as a special exception when authorized by the Zoning Hearing Board. In granting any special exception, the Board may attach certain conditions to its approval which, in addition to the requirements listed within this ordinance, it feels are necessary requirements in order to preserve and protect the character of the district in which the proposed use would be located.

1. Houses of worship.
2. Elementary and secondary schools.
3. Day-care centers.

4. Hospitals.
5. Accessory buildings and uses customarily incidental to the above special exception uses.

SECTION 1004. CONDITIONAL USES

The following uses are permitted by conditional use when authorized by the Board of Commissioners:

1. Community clubs.
2. Accessory buildings and uses customarily incidental to the above conditional uses.

SECTION 1005. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY RIGHT

1. Maximum building height: 45 feet, unless otherwise specified in the applicable T-Zone Overlay; however, all structures are subject to Section 2208 and Section 2214 of this ordinance.
2. Minimum lot requirements:
 - A. Agricultural uses or Forestry: Such uses shall comply with the requirements of Section 2503.
 - (1) Minimum lot area: 10 acres.
 - (2) Minimum lot width: none.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard:
 - [i] Farm dwelling: 25 feet. (See Section 2213)
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.
 - [b] Side yard:
 - [i] Farm dwelling, each side: 10 feet.
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet from all property lines.
 - [c] Rear yard:
 - [i] Farm dwelling: 35 feet.

- [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.
 - (5) Minimum open area: 75%.
 - (6) Sale of farm and/or garden products on a retail basis. Such activities shall comply with the requirements of Section 2503.1.
- B. Extended, intermediate, and long-term care facilities and retirement homes/communities:
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 5 acres.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 200 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard:
 - [i] Single-family detached and single-family semidetached dwellings, each side: 25 feet.
 - [ii] All other dwellings: 50 feet from all property lines.
 - [c] Rear yards:
 - [i] Single-family detached and single-family semidetached dwellings: 35 feet.
 - [ii] All other dwellings: 50 feet from all property lines.
 - [d] Interior yards: open space between buildings on the same lot:
 - [i] Single-family detached, single-family semidetached and duplex dwellings:
 - [a] Distance from internal roads: 15 feet.
 - [b] Distance between sides of dwellings: 25 feet.
 - [c] Distance between front faces and/or rear faces of dwellings: 50 feet.

- [d] Distance between sides and front faces or rear faces of dwellings: 50 feet.
 - [ii] All other dwellings: (Covered or enclosed connecting walkways shall not be considered part of the building.)
 - [a] Distance from internal roads: 15 feet.
 - [b] When front to front, rear to rear, or front to rear, parallel buildings shall have 50 feet between faces of the building. If the front or rear faces are obliquely aligned, the above distance may be decreased by as much as 10 feet at one end if increased by similar or greater distance at the other end.
 - [c] A yard space of 50 feet is required between end walls of buildings. If the buildings are at right angles to each other, the distance between the corners of the end walls of the building may be reduced to a minimum of 25 feet.
 - [d] A yard space of 50 feet is required between end walls and front or rear faces of buildings.
 - (6) Length of building. No building shall exceed 300 feet in length; provided, however, that there must be a visual break in the building facade every 50 feet. Such break shall consist of, as a minimum, a four-foot projection from the building running a linear distance of five feet along the facade; or at least a thirty-degree angle of deflection of the building's center line. Such break shall extend the entire height of the building. Color and texture variations may accompany the above facade treatments. Building length shall not include covered walkways or enclosed walkways whose sole purpose is to connect one area of the building to another.
 - (7) Minimum open area: 35%.
 - (8) The design standards depicted in Appendixes A, B, C and D shall apply.
- C. Educational institutions:
- (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 40,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 150 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.

- [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side with the residential district.
- [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side with the residential district.
- [d] Perimeter buffer: 20 feet.

- (6) Length of building. No building shall exceed 300 feet in length; provided, however, that there must be a visual break in the building facade every 100 feet. Such break shall consist of, as a minimum, a ten-foot projection from the building running a linear distance of 15 feet along the facade; or at least a thirty-degree angle of deflection of the building's center line. Such break shall extend the entire height of the building. Color and texture variations may accompany the above facade treatments. Building length shall not include covered walkways or enclosed walkways whose sole purpose is to connect one area of the building to another.
- (7) Minimum open area: 20%.
- (8) All pedestrian and vehicular traffic patterns shall be located in a manner that reduces or eliminates potential hazards to people utilizing the institution.

D. Public parks and public recreation areas:

- (1) Minimum lot area: none.
- (2) Minimum lot width: 50 feet.
- (3) Minimum lot depth: none.
- (4) Minimum yard dimensions for structures:
 - [a] Front yard: 25 feet. (See Section 2213)
 - [b] Side yard, each side: 20 feet.
 - [c] Rear yard: 35 feet.
- (5) Minimum open area: none.

E. Public utility installations:

- (1) Minimum lot area: none.
- (2) Minimum lot width: none.
- (3) Minimum lot depth: none.
 - [a] Front yard: 25 feet. (See Section 2213)
 - [b] Side yard, each side: 10 feet.

- [c] Rear yard: 10 feet.
- (4) Minimum open area: none.
- (5) Landscaping and screening. (See Section 2512 and Section 2513)
- F. Farmers markets. Such uses shall comply with the requirements of Section 2113.
- G. Telecommunications tower. Such uses shall comply with the requirements of Section 2516.

SECTION 1006. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY SPECIAL EXCEPTION

1. Maximum building height: 35 feet, unless otherwise specified in the applicable T-Zone Overlay, but in no event shall any building exceed three full stories above grade. However, all structures are subject to Section 2208 and Section 2214 of this ordinance.
2. Minimum lot requirements:
 - A. Houses of worship:
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 5 acres.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 200 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 50 feet.
 - [c] Rear yard: 50 feet.
 - (6) Minimum open area: 50%.
 - (7) Landscaping and screening. (See Section 2512 and Section 2513)
 - B. Elementary and secondary schools:
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 10 acres.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 150 feet.

- (4) Minimum lot depth: 200 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 50 feet.
 - [c] Rear yard: 50 feet.
 - (6) Minimum open area: 65%.
- C. Day-care centers: Such uses shall comply with the requirements of Section 2508.
- (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 20,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet.
 - [c] Rear yard: 50 feet.
 - [d] Perimeter buffer: 20 feet.
 - (6) Minimum open area: 20%.
- D. Hospitals:
- (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 10 acres.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 200 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.

- [b] Side yard, each side: 50 feet.
- [c] Rear yard: 50 feet.
- [d] Perimeter buffer: 20 feet.
- (6) Minimum open area: 30%.

SECTION 1007. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY CONDITION

1. Maximum building height: 35 feet, unless otherwise specified in the applicable T-Zone Overlay, but in no event shall any building exceed three full stories above grade. However, all structures are subject to Section 2208 and Section 2214 of this ordinance.
2. Minimum lot requirements:
 - A. Community clubs:
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: three acres.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 200 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 50 feet.
 - [c] Rear yard: 50 feet.
 - (6) Minimum open area: 35%.
 - (7) Landscaping and screening. (See Section 2512 and Section 2513)

SECTION 1008. SUPPLEMENTAL REGULATIONS

The uses in this district are also subject to applicable regulations contained in the following articles:

1. Article XVIII, Signs.
2. Article XX, Off-Street Parking and Loading.

3. Article XXI, Accessory Uses.
4. Article XXII, General Regulations.
5. Article XXIV, T-Zone Overlay Area.
6. Article XXV, Performance Standards.

Township of Manheim

Uses Within Business Districts

**See also applicable T-Zone Overlay District for additional use regulations. **

KEY:

X = Right

SE = Special exception

C = Conditional

	B-1	B-2	B-3	B-4
Adult establishments				C
Agricultural uses and necessary buildings	X	X	X	X
Banks and financial institutions		X	X	X
Banks and financial institutions in combination with professional offices	SE	X	X	X
Bed-and-breakfast establishments	X	X	X	X
Body art establishments				SE
Houses of worship	SE	SE		
Cafes		X	X	
Commercial recreation facilities			SE	SE
Community facilities	X	X	X	X
Convenience stores		X	X	X
Conversion apartments		SE		
Day-care centers	SE	SE	SE	SE
Dwelling units in combination with professional offices or commercial uses	X	X	X	X
Education institutions			SE	SE
Forestry	X	X	X	X
Funeral homes	SE	SE		
Holiday tree sales			X	X
Hotels and motels, full-service			X	X
Hotels and motels, limited service			X	X
Motor vehicle sales			SE	X
Motor vehicle service stations or garages			SE	X
Motor vehicle washing facilities		SE	SE	SE
Municipal Uses	X	X	X	X
Offices, professional	X	X	X	X
Offices, medical or dental	X	X	X	X

	B-1	B-2	B-3	B-4
Office Park	C			
Personal service business		X	X	X
Public parks and recreation areas	X	X	X	X
Public utility installations	X	X	X	X
Regional Stormwater Facility	X	X	X	X
Restaurants			X	X
Restaurants in combination with professional offices	SE	X	X	X
Retail sales of alcoholic beverages			SE	X
Retail sales of goods and services excluding body art establishments and adult establishments				X
Retail sales of goods and services, excluding restaurants, motor vehicle service stations and garages, motor vehicle sales, body art establishments and adult establishments		X	X	
Retail sales of lawn and garden care products and the outdoor sale of nursery stock			X	X
Supermarkets				X
Telecommunications tower	SE	SE	X	X
Telecommunications tower, attached	X	X	X	X
Temporary retail sales			X	X
Veterinary office		SE	X	X
Veterinary hospital			SE	SE
Wholesale clubs				X

ARTICLE XI. BUSINESS DISTRICT B-1

SECTION 1101. PURPOSE

It is the purpose of this district to provide for various types of small-scale business and professional offices that provide services to local neighborhoods.

SECTION 1102. USES BY RIGHT

Uses by right shall be as follows:

1. Agricultural uses and necessary buildings, including farm dwellings and structures related to the tilling of the land, the raising of farm products, the raising and keeping of horses, cattle, and other livestock, the raising of poultry and poultry products, and the sale of farm and/or garden products on a retail basis.
2. Offices, professional and medical/dental.
3. Public parks and public recreation areas.
4. Community facilities.
5. Public utility installations.
6. Dwelling units in combination with professional offices or other permitted commercial uses in the same principal structure.
7. Bed-and-breakfast establishments.
8. Forestry.
9. Telecommunications tower, attached.
10. Municipal Uses.
11. Regional Stormwater Facility.
12. Accessory buildings and uses customarily incidental to the above permitted uses.

SECTION 1103. SPECIAL EXCEPTION USES

The following uses are permitted as a special exception when authorized by the Zoning Hearing Board. In granting any special exception, the Board may attach certain conditions to its approval which, in addition to the requirements listed within this ordinance, it feels are necessary requirements in order to preserve and protect the character of the district in which the proposed use would be located.

1. Houses of worship.
2. Day-care centers.
3. Banks and financial institutions in combination with professional offices.
4. Restaurants in combination with professional offices.

5. Funeral homes.
6. Telecommunications towers.
7. Accessory buildings and uses customarily incidental to the above uses by special exception.

SECTION 1104. CONDITIONAL USES

Conditional uses shall be as follows:

1. Office parks.

SECTION 1105. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY RIGHT

1. Maximum building height: 35 feet, unless otherwise specified by the applicable T-Zone Overlay; however, all structures are subject to Section 2208 and Section 2214 of this ordinance.
2. Minimum lot requirements:
 - A. Agricultural uses/forestry: Such uses shall comply with the requirements of Section 2503.
 - (1) Minimum lot area: 10 acres.
 - (2) Minimum lot width: none.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard:
 - [i] Farm dwelling: 35 feet. (See Section 2213)
 - [ii] Agribusiness structures and feedlots: 100 feet from the property line and/or 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.
 - [b] Side yard:
 - [i] Farm dwelling, each side: 12 feet.
 - [ii] Agribusiness structures and feedlots: 100 feet from the property line and/or 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.
 - [c] Rear yard:
 - [i] Farm dwelling: 35 feet.
 - [ii] Agribusiness structures and feedlots: 100 feet from the

property line and/or 200 feet from existing dwellings on adjacent property.

[iii] Other permanent structures: 75 feet.

- (5) Minimum open area: 75%.
- (6) Sale of farm and/or garden products on a retail basis. Such activities shall comply with the requirements of Section 2503.1.

B. Professional offices, medical/dental offices and community facilities:

- (1) Sewer and water. Public sewer and/or public water service are required.
- (2) Minimum lot area: 20,000 square feet.
- (3) Minimum lot width:
 - [a] Lots fronting on arterial and major collector roads:
 - [i] At street line: 100 feet.
 - [ii] At front yard setback line: 100 feet.
 - [b] Lots fronting on other road classifications:
 - [i] At street line: 60 feet.
 - [ii] At front yard setback line: 100 feet.
- (4) Minimum lot depth: 150 feet.
- (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [i] No minimum side yard shall be required on either side of the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoined side by side if:
 - [a] The buildings are connected by passageways, corridors or common areas; and
 - [b] Corridors or common areas are provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.
 - [ii] In order to reduce the continuous appearance of the adjoining buildings or structures, each of the adjoining and connected

buildings on the lots, not subject to the specified minimum side yard dimensions, shall have a visual break in the building facade at minimum distances of every 50 feet. Such visual breaks may consist of projections from the building, angles of deflection of the building's center line, or variations in the color or texture of the facade.

- [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [i] No minimum side yard shall be required on either side of the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoined side by side if:
 - [a] The buildings are connected by passageways, corridors or common areas; and
 - [b] Corridors or common areas are provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.
 - [ii] In order to reduce the continuous appearance of the adjoining buildings or structures, each of the adjoining and connected buildings on the lots, not subject to the specified minimum side yard dimensions, shall have a visual break in the building facade at minimum distances of every 60 feet. Such visual breaks may consist of projections from the building, angles of deflection of the building's center line, or variations in the color or texture of the facade.
- [d] Interior yards: open space between buildings on the same lot.
 - [i] When front to front, rear to rear, or front to rear, parallel buildings shall have 50 feet between faces of the building. If the front or rear faces are obliquely aligned, the above distance may be decreased by as much as 10 feet at one end if increased by similar or greater distance at the other end.
 - [ii] A yard space of 50 feet is required between end walls of buildings. If the buildings are at right angles to each other, the distance between the corners of the end walls of the building may be reduced to a minimum of 25 feet.
 - [iii] A yard space of 50 feet is required between end walls and front or rear faces of buildings.
- [e] Perimeter buffer: 20 feet.

- (6) Length of building. Unless otherwise specified in the applicable T-Zone Overlay, no building shall exceed 150 feet in length.
 - (7) Maximum square footage. The maximum square footage of a medical/dental office shall be five thousand (5,000) square feet.
 - (8) Minimum open area: 35%.
- C. Dwelling units in combination with professional offices or other permitted commercial uses. Such uses shall comply with the requirements of Section 2525.
- D. Public parks and public recreation areas:
- (1) Minimum lot area: none.
 - (2) Minimum lot width: 50 feet.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard: 35 feet. (See Section 2213)
 - [b] Side yard, each side: 20 feet.
 - [c] Rear yard: 35 feet.
 - (5) Minimum open area: none.
- E. Public utility installations:
- (1) Minimum lot area: none.
 - (2) Minimum lot width: none.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard: 25 feet. (See Section 2213)
 - [b] Side yard, each side: 12 feet.
 - [c] Rear yard: 12 feet.
 - (5) Minimum open area: none.
 - (6) Landscaping and screening. (See Section 2512 and Section 2513).
- F. Bed-and-breakfast establishments: Such uses shall comply with the requirements of Section 2505.
- (1) Sewer and water. Public sewer and/or public water service are required.
 - (2) Minimum lot area: 20,000 square feet.
 - (3) Minimum lot width:

- [a] At street line: 50 feet.
- [b] At front yard setback line: 50 feet.
- (4) Minimum lot depth: 150 feet.
- (5) Minimum yard dimensions:
 - [a] Front yard: in accordance with the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet.
 - [c] Rear yard: 25 feet.

G. Telecommunications tower, attached. Such uses shall comply with the requirements of Section 2516.

SECTION 1106. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY SPECIAL EXCEPTION

1. Maximum building height: 35 feet, unless otherwise specified in the applicable T-Zone Overlay; however, all structures are subject to Section 2208 and Section 2214 of this ordinance.
2. Minimum lot requirements:
 - A. Houses of worship:
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 5 acres.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 200 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 35 feet, unless otherwise specified in the applicable T-Zone Overlay District or Section 2213.
 - [b] Side yard: 25 feet, except, where adjacent to a residential district, the side yard shall be 50 feet.
 - [c] Rear yard: 50 feet.
 - (6) Minimum open area: 50%.
 - (7) Landscape and screening. (See Section 2512 and Section 2513)
 - B. Day-care centers: Such uses shall comply with the requirements of Section 2508.

- (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 20,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet.
 - [c] Rear yard: 50 feet.
 - [d] Perimeter buffer: 20 feet.
 - (6) Minimum open area: 20%.
- C. Banks and financial institutions in combination with professional offices. Such uses shall comply with the requirements of Section 2504.
- D. Restaurants in combination with professional offices. Such uses shall comply with the requirements of Section 2504.
- E. Funeral homes:
- (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 20,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard: 25 feet.
 - [c] Rear yard: 50 feet.
 - [d] Perimeter buffer: 20 feet.
 - (6) Minimum open area: 40%.

(7) Landscaping and screening. (See Section 2512 and Section 2513)

F. Telecommunications tower. Such uses shall comply with the requirements of Section 2516.

SECTION 1107. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY CONDITION

1. Office parks. Such uses shall comply with the requirements of Section 2514.

SECTION 1108. SUPPLEMENTAL REGULATIONS

The uses in this district are also subject to applicable regulations contained in the following articles:

1. Article XVIII, Signs.
2. Article XX, Off-Street Parking and Loading.
3. Article XXI, Accessory Uses.
4. Article XXII, General Regulations.
5. Article XXIV, T-Zone Overlay Area.
6. Article XXV, Performance Standards.

Township of Manheim

Uses Within Business Districts

See also applicable T-Zone Overlay District for additional use regulations.

KEY:

X = Right

SE = Special exception

C = Conditional

	B-1	B-2	B-3	B-4
Adult establishments				C
Agricultural uses and necessary buildings	X	X	X	X
Banks and financial institutions		X	X	X
Banks and financial institutions in combination with professional offices	SE	X	X	X
Bed-and-breakfast establishments	X	X	X	X
Body art establishments				SE
Houses of worship	SE	SE		
Cafes		X	X	
Commercial recreation facilities			SE	SE
Community facilities	X	X	X	X
Convenience stores		X	X	X
Conversion apartments		SE		
Day-care centers	SE	SE	SE	SE
Dwelling units in combination with professional offices or commercial uses	X	X	X	X
Education institutions			SE	SE
Forestry	X	X	X	X
Funeral homes	SE	SE		
Holiday tree sales			X	X
Hotels and motels, full-service			X	X
Hotels and motels, limited-service			X	X
Motor vehicle sales			SE	X
Motor vehicle service stations or garages			SE	X
Motor vehicle washing facilities		SE	SE	SE
Municipal Uses	X	X	X	X
Offices, professional	X	X	X	X
Offices, medical or dental	X	X	X	X

	B-1	B-2	B-3	B-4
Office park	C			
Personal service business		X	X	X
Public parks and recreation areas	X	X	X	X
Public utility installations	X	X	X	X
Regional Stormwater Facility	X	X	X	X
Restaurants			X	X
Restaurants in combination with professional offices	SE	X	X	X
Retail sales of alcoholic beverages			SE	X
Retail sales of goods and services excluding body art establishments and adult establishments				X
Retail sales of goods and services, excluding restaurants, motor vehicle service stations and garages, motor vehicle sales, body art establishments and adult establishments		X	X	
Retail sales of lawn and garden care products and the outdoor sale of nursery stock			X	X
Supermarkets				X
Telecommunications tower	SE	SE	X	X
Telecommunications tower, attached	X	X	X	X
Temporary retail sales			X	X
Veterinary office		SE	X	X
Veterinary hospital			SE	SE
Wholesale clubs				X

ARTICLE XII. BUSINESS DISTRICT B-2

SECTION 1201. PURPOSE

It is the purpose of this district to provide for neighborhood businesses within existing neighborhood areas.

SECTION 1202. USES BY RIGHT

Uses by right shall be as follows:

1. Agricultural uses and necessary buildings, including farm dwellings and structures related to the tilling of the land, the raising of farm products, the raising and keeping of horses, cattle, and other livestock, the raising of poultry and poultry products, and the sale of farm and/or garden products on a retail basis
2. Offices, professional or medical/dental.
3. Banks and financial institutions.
4. Banks and financial institutions in combination with professional offices.
5. Dwelling units in combination with professional offices or commercial uses in the same principal structure.
6. Retail sales of goods and services, excluding restaurants, motor vehicle service stations and garages, motor vehicle sales buildings, body art establishments, and adult establishments.
7. Personal service businesses.
8. Convenience stores.
9. Public parks and public recreation areas.
10. Community facilities.
11. Public utility installations.
12. Bed-and-breakfast establishments.
13. Cafes/Restaurants with or without outdoor dining.
14. Restaurants in combination with professional offices.
15. Forestry.
16. Telecommunications tower, attached.
17. Municipal Uses.
18. Regional Stormwater Facility.
19. Accessory buildings and uses customarily incidental to the above permitted uses.

SECTION 1203. SPECIAL EXCEPTION USES

The following uses are permitted as a special exception when authorized by the Zoning Hearing Board. In granting any special exception, the Board may attach certain conditions to its approval which, in addition to the requirements listed within this ordinance, it feels are necessary requirements in order to preserve and protect the character of the district in which the proposed use would be located.

1. Houses of worship.
2. Funeral homes.
3. Veterinary office.
4. Conversion apartment dwellings, where conversion is made of a building which existed at the date of enactment of this ordinance into a duplex dwelling or an apartment dwelling, and where no extension of the existing building, other than as may be required for access or safety, shall be permitted.
5. Day-care centers.
6. Telecommunications tower.
7. Motor vehicle washing facilities.
8. Accessory buildings and uses customarily incidental to the above uses by special exception.

SECTION 1204. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY RIGHT

1. Maximum building height: 35 feet, unless otherwise specified in the applicable T-Zone Overlay District; however, all structures are subject to Section 2208 and Section 2214 of this ordinance.
2. Minimum lot requirements:
 - A. Agricultural uses/forestry: Such uses shall comply with the requirements of Section 2503.
 - (1) Minimum lot area: 10 acres.
 - (2) Minimum lot width: none.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard:
 - [i] Farm dwelling: 35 feet (See Section 2213).
 - [ii] Agribusiness structures and feedlots: 100 feet from the property line and/or 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.

- [b] Side yard:
 - [i] Farm dwelling, each side: 12 feet.
 - [ii] Agribusiness structures and feedlots: 100 feet from the property line and/or 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.
- [c] Rear yard:
 - [i] Farm dwelling: 35 feet.
 - [ii] Agribusiness structures and feedlots: 100 feet from the property line and/or 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.
- (5) Minimum open area: 75%.
- (6) Sale of farm and/or garden products on a retail basis. Such activities shall comply with the requirements of Section 2503.1.
- B. Offices, professional and medical/dental, banks, cafes, retail sales, retail services, personal service business, and community facilities:
 - (1) Sewer and water. Public sewer and/or public water service are required.
 - (2) Minimum lot area: 15,000 square feet.
 - (3) Minimum lot width:
 - [a] Lots fronting on arterial and major collector roads:
 - [i] At street line: 100 feet.
 - [ii] At front yard setback line: 100 feet.
 - [b] Lot fronting on other road classifications:
 - [i] At street line: 60 feet.
 - [ii] At front yard setback line: 100 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous

with the residential district.

[d] Adjoining buildings or structures.

[i] No minimum side or rear yard shall be required on either side of the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoined side by side if:

[a] The buildings are connected by passageways, corridors or common areas; and

[b] Corridors or common areas are provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.

[ii] In order to reduce the continuous appearance of the adjoining buildings or structures, each of the adjoining and connected buildings on the lots, not subject to the specified minimum side yard dimensions, shall have a visual break in the building facade at minimum distances of every 60 feet. Such visual breaks may consist of projections from the building, angles of deflection of the building's center line, or variations in the color or texture of the facade.

[e] Perimeter buffer: 6 feet.

(6) Length of building. Unless otherwise specified in the applicable T-Zone Overlay District, no building shall exceed 150 feet in length.

(7) Minimum open area: 25%.

(8) Maximum floor area: 4,000 square feet for each office, bank, retail sale, retail service, or community facility establishment or use.

C. Convenience stores:

(1) Sewer and water. Public sewer and/or public water service are required.

(2) Minimum lot area: 15,000 square feet.

(3) Minimum lot width:

[a] At street line: 100 feet.

[b] At front yard setback line: 100 feet.

(4) Minimum lot depth: 150 feet.

(5) Minimum yard dimensions:

[a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.

[b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent

to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.

[c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.

[d] Perimeter buffer: 20 feet.

(6) Minimum open area: 20%.

(7) Maximum floor area: 4,000 square feet.

D. Public parks and public recreation areas:

(1) Minimum lot area: none.

(2) Minimum lot width: 50 feet.

(3) Minimum lot depth: none.

(4) Minimum yard dimensions:

[a] Front yard: 25 feet. (See Section 2213)

[b] Side yard, each side: 20 feet.

[c] Rear yard: 35 feet.

(5) Minimum open area: none.

E. Public utility installations:

(1) Minimum lot area: none.

(2) Minimum lot width: none.

(3) Minimum lot depth: none.

(4) Minimum yard dimensions:

[a] Front yard: 25 feet. (See Section 2213)

[b] Side yard, each side: 12 feet.

[c] Rear yard: 12 feet.

(5) Minimum open area: none.

(6) Landscaping and screening. (See Section 2512 and Section 2513)

F. Dwelling units in combination with offices. Such uses shall comply with the requirements of Section 2525.

G. Restaurants in combination with professional offices. Such uses shall comply with the requirements of Section 2504.

- H. Bed-and-breakfast establishments. Such uses shall comply with the requirements of Section 2110.
 - (1) Sewer and water. Public sewer and/or public water service are required.
 - (2) Minimum lot area: 15,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: in accordance with the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet.
 - [c] Rear yard: 25 feet.
 - [d] Perimeter buffer: six feet.
 - (6) Minimum open area: 25%.
- I. Telecommunications tower, attached. Such uses shall comply with the requirements of Section 2516.

SECTION 1205. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY SPECIAL EXCEPTION

- 1. Maximum building height: 35 feet, unless specified in accordance with the applicable T-Zone Overlay; however, all structures are subject to Section 2208 and Section 2214 of this ordinance.
- 2. Minimum lot requirements:
 - A. Houses of worship:
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 5 acres.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 200 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 35 feet, unless specified in the applicable T-Zone Overlay or

Section 2213.

[b] Side yard, each side: 25 feet, except, where adjacent to a residential district, each side yard shall be 50 feet.

[c] Rear yard: 50 feet.

(6) Minimum open area: 50%.

(7) Landscaping and screening. (See Section 2512 and Section 2513)

B. Funeral homes:

(1) Sewer and water. Both public sewer and public water service are required.

(2) Minimum lot area: 20,000 square feet.

(3) Minimum lot width:

[a] At street line: 100 feet.

[b] At front yard setback line: 100 feet.

(4) Minimum lot depth: 150 feet.

(5) Minimum yard dimensions:

[a] Front yard: 25 feet, unless specified in accordance with the applicable T-Zone Overlay or Section 2213.

[b] Side yard, each side: 25 feet.

[c] Rear yard: 50 feet.

[d] Perimeter buffer: 20 feet.

(6) Minimum open area: 40%.

(7) Landscaping and screening. (See Section 2512 and Section 2513)

C. Veterinary office:

(1) Sewer and water. Both public sewer and public water service are required.

(2) Minimum lot area: 20,000 square feet.

(3) Minimum lot width:

[a] At street line: 100 feet.

[b] At front yard setback line: 100 feet.

(4) Minimum lot depth: 150 feet.

(5) Minimum yard dimensions:

[a] Front yard: 25 feet, unless specified in the applicable T-Zone Overlay or Section 2213.

- [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 50 feet on the side contiguous with the residential district.
- [c] Rear yard: 50 feet.
- [d] Perimeter buffer: 20 feet.
- (6) Minimum open area: 40%.
- (7) Landscaping and screening. (See Section 2512 and Section 2513)
- D. Conversion apartment dwellings:
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 5,000 square feet per dwelling unit; provided, however, that if a dwelling unit and a business use are to be located in the same structure, the minimum lot area shall be equivalent to 4,000 square feet for each dwelling unit, plus 6,000 square feet for the business unit.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 25 feet, unless specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet.
 - [c] Rear yard: 50 feet.
 - (6) Length of building. Unless otherwise specified in the applicable T-Zone Overlay, no building shall exceed 150 feet in length.
 - (7) Minimum open area: 75%.
- E. Day-care centers: Such uses shall comply with the requirements of Section 2508.
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 20,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
 - (4) Minimum lot depth: 150 feet.

- (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet.
 - [c] Rear yard: 50 feet.
 - [d] Perimeter buffer: 20 feet.
- (6) Minimum open area: 20%.
- F. Telecommunications tower. Such uses shall comply with the requirements of Section 2516.
- G. Motor vehicle washing facilities:
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 40,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 150 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Perimeter buffer: 20 feet.
 - (6) Length of building. Unless otherwise specified in the applicable T-Zone Overlay, no building shall exceed 150 feet in length.
 - (7) Minimum open area: 20%.
 - (8) All water for washing of automobiles shall be collected and discharged into an approved public sewerage facility. No water utilized for washing shall be permitted to sheet flow from the site or drain into a stormwater conveyance facility.
 - (9) Hours of operation shall be permitted between the hours of 7:00 am and 7:00 pm.

SECTION 1206. SUPPLEMENTAL REGULATIONS

The uses in this district are also subject to applicable regulations contained in the following articles:

1. Article XVIII, Signs.
2. Article XX, Off-Street Parking and Loading.
3. Article XXI, Accessory Uses.
4. Article XXII, General Regulations.
5. Article XXIV, T-Zone Overlay Area.
6. Article XXV, Performance Standards.

Township of Manheim

Uses Within Business Districts

See also applicable T-Zone Overlay District for additional use regulations.

KEY:

X = Right

SE = Special exception

C = Conditional

	B-1	B-2	B-3	B-4
Adult establishments				C
Agricultural uses and necessary buildings	X	X	X	X
Banks and financial institutions		X	X	X
Banks and financial institutions in combination with professional offices	SE	X	X	X
Bed-and-breakfast establishments	X	X	X	X
Body art establishments				SE
Houses of worship	SE	SE		
Cafes		X	X	
Commercial recreation facilities			SE	SE
Community facilities	X	X	X	X
Convenience stores		X	X	X
Conversion apartments		SE		
Day-care centers	SE	SE	SE	SE
Dwelling units in combination with professional offices or commercial uses	X	X	X	X
Education institutions			SE	SE
Forestry	X	X	X	X
Funeral homes	SE	SE		
Holiday tree sales			X	X
Hotels and motels, full-service			X	X
Hotels and motels, limited-service			X	X
Motor vehicle sales			SE	X
Motor vehicle service stations or garages			SE	X
Motor vehicle washing facilities		SE	SE	SE
Municipal Uses	X	X	X	X
Offices, professional	X	X	X	X
Offices, medical or dental	X	X	X	X

	B-1	B-2	B-3	B-4
Office park	C			
Personal service business		X	X	X
Public parks and recreation areas	X	X	X	X
Public utility installations	X	X	X	X
Regional Stormwater Facility	X	X	X	X
Restaurants			X	X
Restaurants in combination with professional offices	SE	X	X	X
Retail sales of alcoholic beverages			SE	X
Retail sales of goods and services excluding body art establishments and adult establishments				X
Retail sales of goods and services, excluding restaurants, motor vehicle service stations and garages, motor vehicle sales, body art establishments and adult establishments		X	X	
Retail sales of lawn and garden care products and the outdoor sale of nursery stock			X	X
Supermarkets				X
Telecommunications tower	SE	SE	X	X
Telecommunications tower, attached	X	X	X	X
Temporary retail sales			X	X
Veterinary office		SE	X	X
Veterinary hospital			SE	SE
Wholesale clubs				X

ARTICLE XIII. BUSINESS DISTRICT B-3

SECTION 1301. PURPOSE

It is the purpose of this district to provide for various office and commercial uses for servicing the local area.

SECTION 1302. USES BY RIGHT

Uses by right shall be as follows:

1. Agricultural uses and necessary buildings, including farm dwellings and structures related to the tilling of the land, the raising of farm products, the raising and keeping of horses, cattle, and other livestock, the raising of poultry and poultry products, and the sale of farm and/or garden products on a retail basis.
2. Offices, professional and medical/dental.
3. Hotels, full-service.
5. Hotels, limited-service.
5. Banks and financial institutions.
6. Banks and financial institutions in combination with professional offices.
7. Retail sales of goods and services, excluding restaurants, motor vehicle service stations and garages, motor vehicle sales buildings, body art establishments and adult establishments, where the total square footage of retail sales on a lot is a maximum of twenty thousand (20,000) square feet.
8. Personal service businesses.
9. Convenience stores.
10. Retail sales of lawn and garden care products and the outdoor sale of nursery stock.
11. Public parks and public recreation areas.
12. Community facilities.
13. Public utility installations.
14. Temporary retail sales.
15. Holiday tree sales.
16. Bed-and-breakfast establishments.
17. Cafe/restaurants with or without outdoor dining.
18. Dwelling units in combination with professional offices or connected uses in the same principal structure.
19. Forestry.

20. Restaurants in combination with professional offices.
21. Veterinary office.
22. Telecommunications tower.
23. Municipal Uses.
24. Regional Stormwater Facility.
25. Accessory buildings and uses customarily incidental to the above permitted uses.

SECTION 1303. SPECIAL EXCEPTION USES

The following uses are permitted as a special exception when authorized by the Zoning Hearing Board. In granting any special exception, the Board may attach certain conditions to its approval which, in addition to the requirements listed within this ordinance, it feels are necessary requirements in order to preserve and protect the character of the district in which the proposed use would be located.

1. Motor vehicle washing facilities.
2. Day-care centers.
3. Educational institutions.
4. Retail sales of alcoholic beverages.
5. Motor vehicle service stations or garages.
6. Motor vehicle sales.
7. Veterinary hospital.
8. Commercial recreation facilities.
9. Accessory buildings and uses customarily incidental to the above special exception uses.

SECTION 1304. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY RIGHT

1. Maximum building height: 35 feet, unless specified in the applicable T-Zone Overlay or Section 2208 and Section 2214 of this ordinance.
2. Minimum lot requirements
 - A. Agricultural uses/forestry. Such uses shall comply with the requirements of Section 2503.
 - (1) Minimum lot area: 10 acres.
 - (2) Minimum lot width: none.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:

- [a] Front yard:
 - [i] Farm dwelling: 35 feet. (See Section 2213)
 - [ii] Agribusiness structures and feedlots: 100 feet from the property line and/or 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.
- [b] Side yard:
 - [i] Farm dwelling, each side: 12 feet.
 - [ii] Agribusiness structures and feedlots: 100 feet from the property line and/or 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.
- [c] Rear yard:
 - [i] Farm dwelling: 35 feet.
 - [ii] Agribusiness structures and feedlots: 100 feet from the property line and/or 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.

- (5) Minimum open area: 75%.
- (6) Sale of farm and/or garden products on a retail basis. Such uses shall comply with the requirements of Section 2503.1.

B. Full-service hotels:

- (1) Sewer and water. Both public sewer and public water are required.
- (2) Minimum lot area: 200,000 square feet.
- (3) Minimum lot width:
 - [a] At street line: 300 feet.
 - [b] At front yard setback line: 300 feet.
- (4) Minimum lot depth: 300 feet.
- (5) Minimum yard dimensions:
 - [a] Front yard: 100 feet, unless specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 50 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 50 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous

with the residential district.

[d] Perimeter buffer: 10 feet.

(6) Length of building: in accordance with the applicable T-Zone Overlay.

(7) Minimum open area: 40%.

C. Limited-service hotels:

(1) Sewer and water. Public sewer and/or public water are required.

(2) Minimum lot area: 80,000 square feet.

(3) Minimum lot width:

[a] At street line: 200 feet.

[b] At front yard setback line: 200 feet.

(4) Minimum lot depth: 200 feet.

(5) Minimum yard dimensions:

[a] Front yard: 50 feet, unless specified in the applicable T-Zone Overlay or Section 2213.

[b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.

[c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.

[d] Perimeter buffer: 10 feet.

(6) Length of building: in accordance with the applicable T-Zone Overlay.

(7) Minimum open area: 20%.

D. Public parks and public recreation areas:

(1) Minimum lot area: none.

(2) Minimum lot width: 50 feet.

(3) Minimum lot depth: none.

(4) Minimum yard dimensions:

[a] Front yard: 25 feet. (See Section 2213)

[b] Side yard, each side: 20 feet.

[c] Rear yard: 35 feet.

- (5) Minimum open area: none.
- E. Public utility installations:
 - (1) Minimum lot area: none.
 - (2) Minimum lot width: none.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard: 25 feet. (See Section 2213)
 - [b] Side yard, each side: 12 feet.
 - [c] Rear yard: 12 feet.
 - (5) Minimum open area: none.
 - (6) Landscaping and screening. (See Section 2512 and Section 2513)
- F. Bed-and-breakfast establishments. Such uses shall comply with the requirements of Section 2505.
 - (1) Sewer and water. Public sewer and/or public water service are required.
 - (2) Minimum lot area: 15,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: in accordance with the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet.
 - [c] Rear yard: 25 feet.
 - [d] Perimeter buffer: 6 feet.
 - (6) Minimum open area: 20%.
- G. Dwelling units in combination with professional offices or commercial uses in the same principal structure. Such uses shall comply with the requirements of Section 2525.
- H. Temporary retail sales. Such uses shall comply with the requirements of Section 2517.

- I. Holiday tree sales. Such uses shall comply with the requirements of Section 2518.
- J. Telecommunication towers. Such uses shall comply with the requirements of Section 2516.
- K. Other permitted uses by right:
 - (1) Sewer and water. Public sewer and/or public water service are required.
 - (2) Minimum lot area: 40,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 150 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Adjoining buildings or structures.
 - [i] No minimum side or rear yard shall be required on either side of the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoined side by side if:
 - [a] The buildings are connected by passageways, corridors or common areas; and
 - [b] Corridors or common areas are provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.
 - [ii] In order to reduce the continuous appearance of the adjoining buildings or structures, each of the adjoining and connected buildings on the lots, not subject to the specified minimum side yard dimensions, shall have a visual break in the building facade at minimum distances of every 60 feet. Such visual breaks may consist of projections from the building, angles of deflection of the building's center line, or variations in the color or texture of the facade.

- [e] Perimeter buffer: 20 feet.
- (6) Length of building. Unless otherwise specified in the applicable T-Zone Overlay, no building shall exceed 150 feet in length.
- (7) Minimum open area: 20%.

SECTION 1305. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY SPECIAL EXCEPTION

- 1. Maximum building height: in accordance with the applicable T-Zone Overlay; however, all structures are subject to Section 2208 and Section 2214 of this ordinance.
- 2. Minimum lot requirements:
 - A. Motor vehicle washing facilities:
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 40,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 150 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Perimeter buffer: 20 feet.
 - (6) Length of building. Unless otherwise specified in the applicable T-Zone Overlay, no building shall exceed 150 feet in length.
 - (7) Minimum open area: 20%.
 - (8) All water for washing of automobiles shall be collected and discharged into an approved public sewerage facility. No water utilized for washing shall be permitted to sheet flow from the site or drain into a stormwater conveyance facility.
 - B. Day-care centers. Such uses shall comply with the requirements of Section 2508.

- (1) Sewer and water. Both public sewer and public water service are required.
- (2) Minimum lot area: 20,000 square feet.
- (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
- (4) Minimum lot depth: 150 feet.
- (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet.
 - [c] Rear yard: 50 feet.
 - [d] Perimeter buffer: 20 feet.
- (5) Minimum open area: 20%.

C. Educational institutions:

- (1) Sewer and water. Both public sewer and public water service are required.
- (2) Minimum lot area: 20,000 square feet.
- (3) Minimum lot width:
 - [a] Lots fronting on arterial and major collector roads:
 - [i] At street line: 100 feet.
 - [ii] At front yard setback line: 100 feet.
 - [b] Lots fronting on other road classifications:
 - [i] At street line: 60 feet.
 - [ii] At front yard setback line: 100 feet.
- (4) Minimum lot depth: 150 feet.
- (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a

residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.

[d] Adjoining buildings or structures.

[i] No minimum side or rear yard shall be required on either side of the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoined side by side if:

[a] The buildings are connected by passageways, corridors or common areas; and

[b] Corridors or common areas are provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.

[ii] In order to reduce the continuous appearance of the adjoining buildings or structures, each of the adjoining and connected buildings on the lots, not subject to the specified minimum side yard dimensions, shall have a visual break in the building facade at minimum distances of every 60 feet. Such visual breaks may consist of projections from the building, angles of deflection of the building's center line, or variations in the color or texture of the facade.

[e] Interior yards: open space between buildings on the same lot.

[i] When front to front, rear to rear, or front to rear, parallel buildings shall have 50 feet between faces of the building. If the front or rear faces are obliquely aligned, the above distance may be decreased by as much as 10 feet at one end if increased by similar or greater distance at the other end.

[ii] A yard space of 50 feet is required between end walls of buildings. If the buildings are at right angles to each other, the distance between the corners of the end walls of the building may be reduced to a minimum of 25 feet.

[iii] A yard space of 50 feet is required between end walls and front or rear faces of buildings.

[f] Perimeter buffer: 20 feet.

(6) Length of building. Unless otherwise specified in the applicable T-Zone Overlay, no building shall exceed 150 feet in length.

(7) Minimum open area: 40%.

(8) No exterior on-site training shall be permitted within the site.

D. Retail sales of alcoholic beverages:

(1) Sewer and water. Both public sewer and public water service are required.

- (2) Minimum lot area: 20,000 square feet.
- (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
- (4) Minimum lot depth: 150 feet.
- (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 50 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Perimeter buffer: 20 feet.
- (6) Minimum open area: 20%.

E. Motor vehicle service stations or garages and motor vehicle sales:

- (1) Sewer and water. Both public sewer and public water service are required.
- (2) Minimum lot area: 40,000 square feet.
- (3) Minimum lot width:
 - [a] At street line: 150 feet.
 - [b] At front yard setback line: 150 feet.
- (4) Minimum lot depth: 150 feet.
- (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Perimeter buffer: 20 feet.

- (6) Length of building. Unless otherwise specified in the applicable T-Zone Overlay, no building shall exceed 150 feet in length.
 - (7) Minimum open area: 20%.
- F. Commercial recreation facilities:
- (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 40,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 150 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Perimeter buffer: 20 feet.
 - (6) Length of building. Unless otherwise specified in the applicable T-Zone Overlay, no building shall exceed 150 feet in length.
 - (7) Minimum open area: 20%.
 - (8) All pedestrian and vehicular traffic patterns shall be located in a manner that reduces or eliminates potential hazards to the people utilizing the facility.
- G. Veterinary hospital:
- (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: three acres.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
 - (4) Minimum lot depth: 200 feet.
 - (5) Minimum yard dimensions:

- [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Perimeter buffer: 20 feet.
- (6) Minimum open area: 50%.
 - (7) Any outdoor runs or exercise areas shall be located to the side or rear of the principal building, outside of all required yards. Such areas shall be fully enclosed by an opaque fence a minimum of six feet high.
 - (8) Landscaping and screening. (See Section 2512 and Section 2513)

SECTION 1306. SUPPLEMENTAL REGULATIONS

The uses in this district are also subject to applicable regulations contained in the following articles:

- 1. Article XVIII, Signs.
- 2. Article XX, Off-Street Parking and Loading.
- 3. Article XXI, Accessory Uses.
- 4. Article XXII, General Regulations.
- 5. Article XXIV, T-Zone Overlay Area.
- 6. Article XXV, Performance Standards.

Township of Manheim

Uses Within Business Districts

See also applicable T-Zone Overlay District for additional use regulations.

KEY:

X = Right

SE = Special exception

C = Conditional

	B-1	B-2	B-3	B-4
Adult establishments				C
Agricultural, horticulture, hydroponic uses and necessary buildings	X	X	X	X
Banks and financial institutions		X	X	X
Banks and financial institutions in combination with professional offices	SE	X	X	X
Bed-and-breakfast establishments	X	X	X	X
Body art establishments				SE
Houses of worship	SE	SE		
Cafes		X	X	
Commercial recreation facilities			SE	SE
Community facilities	X	X	X	X
Convenience stores		X	X	X
Conversion apartments		SE		
Day-care centers	SE	SE	SE	SE
Dwelling units in combination with professional offices or commercial uses	X	X	X	X
Education institutions			SE	SE
Forestry	X	X	X	X
Funeral homes	SE	SE		
Holiday tree sales			X	X
Hotels and motels, full-service			X	X
Hotels and motels, limited-service			X	X
Motor vehicle sales			SE	X
Motor vehicle service stations or garages			SE	X
Motor vehicle washing facilities			SE	SE
Municipal Uses	X	X	X	X
Offices, professional	X	X	X	X

	B-1	B-2	B-3	B-4
Offices, medical or dental	X	X	X	X
Office park	C			
Personal service business		X	X	X
Public parks and recreation areas	X	X	X	X
Public utility installations	X	X	X	X
Regional Stormwater Facility	X	X	X	X
Restaurants			X	X
Restaurants in combination with professional offices	SE	X	X	X
Retail sales of alcoholic beverages			SE	X
Retail sales of goods and services excluding body art establishments and adult establishments				X
Retail sales of goods and services, excluding restaurants, motor vehicle service stations and garages, motor vehicle sales, body art establishments and adult establishments		X	X	
Retail sales of lawn and garden care products and the outdoor sale of nursery stock			X	X
Supermarkets				X
Telecommunications tower	SE	SE	X	X
Telecommunications tower, attached	X	X	X	X
Temporary retail sales			X	X
Veterinary office		SE	X	X
Veterinary hospital			SE	SE
Wholesale clubs				X

(Amended by Ordinance 2021-04, dated June 28, 2021)

ARTICLE XIV. BUSINESS DISTRICT B-4 (Amended by Ordinance 2021-04, dated June 28, 2021)

SECTION 1401. PURPOSE

It is the purpose of this district to provide for various office and commercial uses for local residents, as well as the general public. These uses may be independent activities or part of a coordinated grouping of stores within a single building or center.

SECTION 1402. USES BY RIGHT

Uses by right shall be as follows:

1. Agricultural, horticulture, hydroponic uses and necessary buildings, including farm dwellings and structures related to the tilling of the land, the raising of farm products, the raising and keeping of horses, cattle, alpacas, llamas, emus and other livestock, the raising of poultry and poultry products, and the sale of farm products produced on-site and sold on a retail basis in accordance with Section 2503.
2. Offices, professional and medical/dental.
3. Banks and financial institutions.
4. Banks and financial institutions in combination with professional offices.
5. Dwelling units in combination with professional offices or commercial uses.
6. Personal service businesses.
7. Supermarkets.
8. Restaurants with or without outdoor dining.
9. Restaurants in combination with professional offices.
10. Retail sales of goods and services.
11. Retail sales of alcoholic beverages.
12. Convenience stores.
13. Wholesale clubs.
14. Full-service hotels.
15. Limited-service hotels.
16. Motor vehicle service stations or garages.
17. Motor vehicle sales.
18. Retail sales of lawn and garden care products and the outdoor sale of nursery stock.
19. Public parks and public recreation areas.
20. Community facilities.

21. Public utility installations.
22. Veterinarian offices.
23. Temporary retail sales.
24. Holiday tree sales.
25. Bed-and-breakfast establishments.
26. Forestry.
27. Telecommunications tower.
28. Municipal Uses.
29. Regional Stormwater Facility.
30. Accessory buildings and uses customarily incidental to the above permitted uses.

SECTION 1403. SPECIAL EXCEPTION USES

The following uses are permitted as a special exception when authorized by the Zoning Hearing Board. In granting any special exception, the Board may attach certain conditions to its approval which, in addition to the requirements listed within this ordinance, it feels are necessary requirements in order to preserve and protect the character of the district in which the proposed use would be located.

1. Motor vehicle washing facilities.
2. Commercial recreation facilities.
3. Day-care centers.
4. Educational institutions.
5. Body art establishments.
6. Veterinary hospitals.
7. Accessory buildings and uses customarily incidental to the above special exception uses.

SECTION 1404. CONDITIONAL USES

The following uses are permitted by conditional use when authorized by the Board of Commissioners:

1. Adult establishments.

SECTION 1405. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY RIGHT

1. Maximum building height: 35 feet, unless otherwise specified in the applicable T-Zone Overlay and Section 2208 and Section 2214 of this ordinance.
2. Minimum lot requirements:

A. Agricultural uses or forestry:

(1) Minimum lot area: 10 acres.

(2) Minimum lot width: none.

(3) Minimum lot depth: none.

(4) Minimum yard dimensions:

[a] Front yard:

[i] Farm dwelling: 35 feet. (See Section 2213)

[ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.

[iii] Other permanent structures: 75 feet.

[b] Side yard:

[i] Farm dwelling, each side: 12 feet.

[ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.

[iii] Other permanent structures: 75 feet.

[c] Rear yard:

[i] Farm dwelling: 35 feet.

[ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.

[iii] Other permanent structures: 75 feet.

(5) Minimum open area: 75%.

(6) Sale of farm and/or garden products on a retail basis. Such activities shall comply with the requirements of Section 2503.1.

B. Full-service hotels:

(1) Sewer and water. Public sewer and/or public water are required.

(2) Minimum lot area: 200,000 square feet.

(3) Minimum lot width:

[a] At street line: 300 feet.

[b] At front yard setback line: 300 feet.

- (4) Minimum lot depth: 300 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 100 feet, unless otherwise specified in accordance with the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 50 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 50 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Perimeter buffer: 10 feet.
 - (6) Length of building: in accordance with the applicable T-Zone Overlay.
 - (7) Minimum open area: 40%.
- C. Limited-service hotels:
- (1) Sewer and water. Public sewer and/or public water are required.
 - (2) Minimum lot area: 80,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 200 feet.
 - [b] At front yard setback line: 200 feet.
 - (4) Minimum lot depth: 200 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 223.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Perimeter buffer: 10 feet.
 - (6) Length of building: in accordance with the applicable T-Zone Overlay.
 - (7) Minimum open area: 20%.
- D. Public parks and public recreation areas:

- (1) Minimum lot area: none.
 - (2) Minimum lot width: 50 feet.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard: 25 feet. (See Section 2213)
 - [b] Side yard, each side: 20 feet.
 - [c] Rear yard: 35 feet.
 - (5) Minimum open area: none.
- E. Public utility installations:
- (1) Minimum lot area: none.
 - (2) Minimum lot width: none.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard: 25 feet. (See Section 2213)
 - [b] Side yard, each side: 12 feet.
 - [c] Rear yard: 12 feet.
 - (5) Minimum open area: none.
 - (6) Landscaping and screening. (See Section 2512 and Section 2513)
- F. Bed-and-breakfast establishments. Such uses shall comply with the requirements of Section 2110.
- (1) Sewer and water. Public sewer and/or public water service are required.
 - (2) Minimum lot area: 20,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: in accordance with the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet.

- [c] Rear yard: 30 feet.
- [d] Perimeter buffer: 10 feet.
- (6) Minimum open area: 25%.
- G. Temporary retail sales. Such use shall comply with the requirements of Section 2517.
- H. Holiday tree sales. Such use shall comply with the requirements of Section 2518.
- I. Telecommunication tower. Such use shall comply with the requirements of Section 2516.
- J. Other permitted uses by right:
 - (1) Sewer and water. Public sewer and/or public water service are required.
 - (2) Minimum lot area: 40,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 150 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Adjoining buildings or structures.
 - [i] No minimum side or rear yard shall be required on either side of the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoined side by side if:
 - [a] The buildings are connected by passageways, corridors or common areas; and
 - [b] Corridors or common areas are provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.
 - [ii] In order to reduce the continuous appearance of the adjoining

buildings or structures, each of the adjoining and connected buildings on the lots, not subject to the specified minimum side yard dimensions, shall have a visual break in the building facade at minimum distances of every 60 feet. Such visual breaks may consist of projections from the building, angles of deflection of the building's center line, or variations in the color or texture of the facade.

[e] Perimeter buffer: 20 feet.

(6) Length of building: in accordance with the applicable T-Zone Overlay.

(7) Minimum open area: 20%.

SECTION 1406. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY SPECIAL EXCEPTION

1. Maximum building height: 35 feet, unless otherwise specified in the applicable T-Zone Overlay; however, all structures are subject to Section 2208 and Section 2214 of this ordinance.

2. Minimum lot requirements:

A. Motor vehicle washing facilities:

(1) Sewer and water. Both public sewer and public water service are required.

(2) Minimum lot area: 40,000 square feet.

(3) Minimum lot width:

[a] At street line: 150 feet.

[b] At front yard setback line: 150 feet.

(4) Minimum lot depth: 150 feet.

(5) Minimum yard dimensions:

[a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.

[b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.

[c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.

[d] Perimeter buffer: 20 feet.

(6) Length of building. Unless otherwise specified in the applicable T-Zone Overlay, no building shall exceed 150 feet in length.

- (7) Minimum open area: 20%.
 - (8) All water for washing of automobiles shall be collected and discharged into an approved public sewerage facility. No water utilized for washing shall be permitted to sheet flow from the site or drain into a stormwater conveyance facility.
- B. Commercial recreation facilities:
- (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 40,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 150 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Perimeter buffer: 20 feet.
 - (6) Length of building. Unless otherwise specified in the applicable T-Zone Overlay, no building shall exceed 150 feet in length.
 - (7) Minimum open area: 20%.
 - (8) All pedestrian and vehicular traffic patterns shall be located in a manner that reduces or eliminates potential hazards to the people utilizing the facility.
- C. Day-care centers. Such use shall comply with the requirements of Section 2508.
- (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 20,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.

- (4) Minimum lot depth: 150 feet.
- (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet.
 - [c] Rear yard: 50 feet.
 - [d] Perimeter buffer: 20 feet.
- (6) Minimum open area: 20%.

D. Educational institutions:

- (1) Sewer and water. Both public sewer and public water service are required.
- (2) Minimum lot area: 40,000 square feet.
- (3) Minimum lot width:
 - [a] At street line: 150 feet.
 - [b] At front yard setback line: 150 feet.
- (4) Minimum lot depth: 150 feet.
- (6) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Adjoining buildings or structures.
 - [i] No minimum side or rear yard shall be required on either side of the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoined side by side if:
 - [a] The buildings are connected by passageways, corridors or common areas; and
 - [b] Corridors or common areas are provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.
 - [ii] In order to reduce the continuous appearance of the adjoining

buildings or structures, each of the adjoining and connected buildings on the lots, not subject to the specified minimum side yard dimensions, shall have a visual break in the building facade at minimum distances of every 60 feet. Such visual breaks may consist of projections from the building, angles of deflection of the building's center line, or variations in the color or texture of the facade.

[e] Perimeter buffer: 20 feet.

- (7) Length of building. Unless otherwise specified in the applicable T-Zone Overlay, no building shall exceed 150 feet in length.
 - (8) Minimum open area: 20%.
 - (9) All pedestrian and vehicular traffic patterns shall be located in a manner that reduces or eliminates potential hazards to people utilizing the institution.
- E. Body art establishments. Such use shall comply with the requirements of Section 2506.
- F. Veterinary hospital:
- (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: three acres.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
 - (4) Minimum lot depth: 200 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Perimeter buffer: 20 feet.
 - (6) Minimum open area: 50%.
 - (7) Any outdoor runs or exercise areas shall be located to the side or rear of the principal building, outside of all required yards. Such areas shall be fully enclosed by an opaque fence a minimum of six feet high.

- (8) Landscaping and screening. (See Section 2512 and Section 2513)

SECTION 1407. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY CONDITION

1. Maximum building height: 35 feet, unless otherwise specified in accordance with the applicable T-Zone Overlay; however, all structures are subject to Section 2208 and Section 2214 of this ordinance.
2. Minimum lot requirements:
 - A. Adult establishments. Such use shall comply with the requirements of Section 2502.
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 40,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 150 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet.
 - [c] Rear yard: 50 feet.
 - (6) Length of building. Unless otherwise specified in the T-Zone Overlay, no building shall exceed 150 feet in length.
 - (7) Minimum open area: 20%.
 - (8) Perimeter buffer: 20 feet.

SECTION 1408. SUPPLEMENTAL REGULATIONS

The uses in this district are also subject to applicable regulations contained in the following articles:

1. Article XVIII, Signs.
2. Article XX, Off-Street Parking and Loading.
3. Article XXI, Accessory Uses.
4. Article XXII, General Regulations.
5. Article XXIV, T-Zone Overlay Area.
6. Article XXV, Performance Standards.

Township of Manheim

Uses Within Industrial Districts

See also applicable T-Zone Overlay Districts for additional use regulations.

KEY:

X = Right

SE = Special exception

C = Conditional

	I-1	I-2	I-3
Agricultural, horticulture, hydroponic uses and necessary buildings	X	X	X
Airports			X
Banks and financial institutions	X		
Building materials sales and storage	SE	SE	SE
Commercial recreation facilities	X	X	X
Community clubs			SE
Day-care centers	SE	SE	
Day-care centers as an accessory use			SE
Distribution facilities			X
Educational institutions	X	X	X
Forestry	X	X	X
Golf courses	SE		SE
Golf driving ranges	SE		SE
Hospice care facility	SE		
Industrial activities involving processing, production, repair, or testing and conversion, assembly, and nontoxic chemical operations	X	X	X
Junkyard		SE	
Retail sale of lawn and garden care products; outdoor sale of nursery stock	SE	SE	SE
Laboratories for research and development	X	X	X
Municipal Uses	X	X	X
Offices, professional	X	X	X
Offices, medical or dental	X	X	X
Public parks and recreational areas	X	X	X
Public utility installations	X	X	X

	I-1	I-2	I-3
Regional Stormwater Facility	X	X	X
Restaurants	SE	SE	SE
Retail sales, excluding supermarkets, motor vehicle service stations or garages, motor vehicle sales buildings, body art establishments, and adult establishments	X		
Retail sales as an accessory use			X
Retail sale of products produced on the property		X	
Retail sales on airport property			SE
Solid Waste Management Services & Facilities (up to 4 fast-fill CNG dispensers)		X	
Solid Waste Management Services & Facilities (5 or more fast-fill CNG dispensers)		SE	
Telecommunications towers	X	X	X
Theater churches	SE	SE	SE
Trucking terminals		SE	
Warehousing and mini warehousing facilities	X	X	X
Wholesale sales	X	X	

Amended by Ordinance 2021-04, dated June 28, 2021

ARTICLE XV. INDUSTRIAL DISTRICT I-1 (Amended by Ordinance 2021-04, dated June 28, 2021)

SECTION 1501. PURPOSE; INTENT

It is the purpose of this district to provide suitable regulations for manufacturing and industrial uses and operations which are free from offensive noise, vibration, smoke, odors, glare, hazards of fire, and other objectionable and dangerous conditions in order to protect adjacent land uses. This district is also intended to provide opportunities for the integration of complimentary office, light industrial and retail development, and promote redevelopment throughout the industrial areas of the Township.

SECTION 1502. USES BY RIGHT

Uses by right shall be as follows:

1. Agricultural, horticulture, hydroponic uses and necessary buildings, including farmhouses and structures related to the tilling of the land, the raising of farm products, the raising and keeping of horses, cattle, alpacas, llamas, emus and other livestock, the raising of poultry and poultry products, and the sale of farm products produced on-site and sold on a retail basis in accordance with Section 2503.
2. Offices, professional and medical/dental.
3. Industrial activities involving processing, production, repair, or testing of materials, goods, and/or products of those industries performing primarily conversion, assembly, or nontoxic chemical operations.
4. Laboratories for scientific or industrial research and development.
5. Warehousing and mini warehousing facilities.
6. Retail sales, excluding supermarkets, motor vehicle service stations or garages, motor vehicle sales buildings, body art establishments, and adult establishments.
7. Wholesale sales.
8. Banks and financial institutions.
9. Public parks and public recreation areas.
10. Commercial recreation facilities.
11. Public utility installations.
12. Educational institutions.
13. Forestry.
14. Telecommunications towers.
15. Municipal Uses.
16. Regional Stormwater Facility.

17. Accessory buildings and uses customarily incidental to the above permitted uses.

SECTION 1503. SPECIAL EXCEPTION USES

The following uses are permitted as a special exception when authorized by the Zoning Hearing Board. In granting any special exception, the Board may attach certain conditions to its approval which, in addition to the requirements listed within this ordinances, it feels are necessary requirements in order to preserve and protect the character of this district.

1. Golf driving range.
2. Golf course.
3. Lawn and garden care products and the outdoor sale of nursery stock.
4. Building materials sales and storage, but with no outside storage of materials.
5. Day-care center.
6. Restaurants, provided there are no drive-through facilities.
7. Hospice care facility.
8. Theater churches.
9. Accessory buildings and uses customarily incidental to the above special exception uses.

SECTION 1504. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY RIGHT

1. Maximum building height: 45 feet, unless otherwise specified in the applicable T-Zone Overlay and Section 2208 and Section 2214 of this ordinances.
2. Minimum lot requirements:
 - A. Agricultural uses or forestry. Such uses shall comply with the requirements of Section 2503:
 - (1) Minimum lot area: 10 acres.
 - (2) Minimum lot width: none.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard:
 - [i] Farm dwelling: 35 feet. (See Section 2213)
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property lines and 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.

- [b] Side yard:
 - [i] Farm dwelling, each side: 12 feet.
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property lines and 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.
- [c] Rear yard:
 - [i] Farm dwelling: 35 feet.
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property lines and 200 feet from existing dwellings on adjacent property.
- (5) Minimum open area: 75%.
- (6) Sale of farm and/or garden products on a retail basis. Such activities shall comply with the requirements of Section 2503.1.

B. Banks and financial institutions:

- (1) Sewer and water. Both public sewer and public water service are required.
- (2) Minimum lot area: 20,000 square feet.
- (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [c] At front yard setback line: 100 feet.
- (4) Minimum lot depth: 150 feet.
- (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Perimeter buffer: 20 feet.
- (6) Minimum open area: 20%.

C. Commercial recreation facilities:

- (1) Sewer and water. Both public sewer and public water service are required.
- (2) Minimum lot area: 40,000 square feet.
- (3) Minimum lot width:
 - [a] At street line: 150 feet.
 - [b] At front yard setback line: 150 feet.
- (4) Minimum lot depth: 150 feet.
- (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
- (6) Length of building. Unless specified in accordance with the applicable T-Zone Overlay, no building shall exceed 150 feet in length.
- (7) Minimum open area: 20%.

D. Public utility installations:

- (1) Minimum lot area: none.
- (2) Minimum lot width: none.
- (3) Minimum lot depth: none.
- (4) Minimum yard dimensions:
 - [a] Front yard: 25 feet. (See Section 2213)
 - [b] Side yard, each side: 12 feet.
 - [c] Rear yard: 12 feet.
- (5) Minimum open area: none.
- (6) Landscaping and screening. (See Section 2512 and Section 2513)

E. Public parks and public recreation areas:

- (1) Minimum lot area: none.
- (2) Minimum lot width: 50 feet.

- (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard: 25 feet. (See Section 2213)
 - [b] Side yard: 20 feet.
 - [c] Rear yard: 35 feet.
 - (5) Minimum open area: none.
- F. Telecommunications Tower. Such uses shall comply with the requirements of Section 2516.
- G. Other permitted uses by right:
- (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 40,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in accordance with the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet along the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Adjoining buildings or structures.
 - [i] No minimum side or rear yard shall be required on either side of the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoined side by side if:
 - [a] The buildings are connected by passageways, corridors or common areas; and
 - [b] Corridors or common areas are provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.
 - [ii] In order to reduce the continuous appearance of the adjoining

buildings or structures, each of the adjoining and connected buildings on the lots, not subject to the specified minimum side yard dimensions, shall have a visual break in the building facade at minimum distances of every 60 feet. Such visual breaks may consist of projections from the building, angles of deflection of the building's center line, or variations in the color or texture of the facade.

[e] Perimeter buffer: 10 feet; provided, however, that for any lot adjacent to a residential district, the perimeter buffer shall be 20 feet wide on all sides contiguous with the residential district.

(6) Minimum open area: 20%.

(7) Length of building. Unless specified in the applicable T-Zone Overlay, no building shall exceed 150 feet in length.

H. Retail sales. In addition to the previous applicable provisions, the following shall apply:

(1) Separate structures for retail use shall be limited to 5,000 square feet.

(2) Retail sales as part of structures shall be limited to 35% of the total floor area and shall not exceed 5,000 square feet for each retail use.

SECTION 1505. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY SPECIAL EXCEPTION

1. Maximum building height: 35 feet, unless otherwise specified in the applicable T-Zone Overlay and Section 2208 and Section 2214 of this ordinances.

2. Minimum lot requirements:

A. Golf driving ranges:

(1) Minimum lot area: seven acres.

(2) Minimum lot width: 300 feet.

(3) Minimum lot depth: 900 feet.

(4) Minimum yard dimensions:

[a] Front yard: 50 feet. (See Section 2213)

[b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.

[c] Rear yard: 25 feet; however, if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.

(5) Minimum open area: 80%.

- (6) Landscape and screening. (See Section 2512 and Section 2513)
- B. Golf courses:
 - (1) Minimum lot area: 100 acres for an eighteen-hole course or 50 acres for a nine-hole course.
 - (2) Minimum lot width: 50 feet.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard: 35 feet. (See Section 2213)
 - [b] Side yard, each side: 50 feet.
 - [c] Rear yard: 50 feet.
 - (5) Minimum open area: 80%.
 - (6) Landscape and screening. (See Section 2512 and Section 2513)
- C. Lawn and garden products/nursery stock and building materials:
 - (1) Minimum lot area: 40,000 square feet.
 - (2) Minimum lot width: 150 feet.
 - (3) Minimum lot depth: 150 feet.
 - (4) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in accordance with the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; however, if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; however, if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Perimeter buffer: 10 feet; however, for any lot adjacent to a residential district, the perimeter buffer shall be 20 feet wide on all sides contiguous with the residential district.
 - (5) Minimum open area: 40%.
- D. Day-care centers and restaurants. Such use shall comply with the requirements of Section 2508.
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 20,000 square feet.

- (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 50 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Perimeter buffer: 20 feet.
 - (6) Minimum open area: 20%.
- E. Hospice care facility:
- (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 40,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 50 feet along the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Perimeter buffer: 10 feet; provided, however, that for any lot adjacent to a residential district, the perimeter buffer shall be 20 feet wide on all sides contiguous with the residential district.

(6) Minimum open area: 20%.

F. Theatre churches. Such uses shall comply with the regulations of Section 2519.

SECTION 1506. SUPPLEMENTAL REGULATIONS

The uses in this district are also subject to applicable regulations contained in the following articles:

1. Article XVIII, Signs.
2. Article XX, Off-Street Parking and Loading.
3. Article XXI, Accessory Uses.
4. Article XXII, General Regulations.
5. Article XXIV, T-Zone Overlay Area.
6. Article XXV, Performance Standards.

Township of Manheim

Uses Within Industrial Districts

See also applicable T-Zone Overlay Districts for additional use regulations.

KEY:

X = Right

SE = Special exception

C = Conditional

	I-1	I-2	I-3
Agricultural, horticulture, hydroponic uses and necessary buildings	X	X	X
Airports			X
Banks and financial institutions	X		
Building materials sales and storage	SE	SE	SE
Commercial recreation facilities	X	X	X
Community clubs			SE
Day-care centers	SE	SE	
Day-care centers as an accessory use			SE
Distribution facilities			X
Educational institutions	X	X	X
Forestry	X	X	X
Golf courses	SE		SE
Golf driving ranges	SE		SE
Hospice care facility	SE		
Industrial activities involving processing, production, repair, or testing and conversion, assembly, and nontoxic chemical operations	X	X	X
Junkyard		SE	
Retail sale of lawn and garden care products; outdoor sale of nursery stock	SE	SE	SE
Laboratories for research and development	X	X	X
Municipal Uses	X	X	X
Offices, professional	X	X	X
Offices, medical or dental	X	X	X
Public parks and recreational areas	X	X	X
Public utility installations	X	X	X
Regional Stormwater Facility	X	X	X

	I-1	I-2	I-3
Restaurants	SE	SE	SE
Retail sales, excluding supermarkets, motor vehicle service stations or garages, motor vehicle sales buildings, body art establishments, and adult establishments	X		
Retail sales as an accessory use			X
Retail sale of products produced on the property		X	
Retail sales on airport property			SE
Solid Waste Management Services & Facilities (up to 4 fast-fill CNG dispensers)		X	
Solid Waste Management Services & Facilities (5 or more fast-fill CNG dispensers)		SE	
Telecommunications towers	X	X	X
Theater churches	SE	SE	SE
Trucking terminals		SE	
Warehousing and mini warehousing facilities	X	X	X
Wholesale sales	X	X	

(Amended by Ordinance 2021-04, dated June 28, 2021)

ARTICLE XVI. INDUSTRIAL DISTRICT I-2 (Amended by Ordinance 2021-04, dated June 28, 2021)

SECTION 1601. PURPOSE

It is the purpose of this district to provide for manufacturing and industrial uses and operations which are free from offensive noise, vibration, smoke, odors, glare, hazards of fire, and other objectionable and dangerous conditions in order to protect adjacent land uses and provide areas for the development, continuation, or expansion of industrial uses.

SECTION 1602. USES BY RIGHT

Uses by right shall be as follows:

1. Agricultural, horticulture, hydroponic uses and necessary buildings, including farmhouses and structures related to the tilling of the land, the raising of farm products, the raising and keeping of horses, cattle, alpacas, llamas, emus and other livestock, the raising of poultry and poultry products, and the sale of farm products produced on-site and sold on a retail basis in accordance with Section 2503.
2. Industrial activities involving the processing, production, repair, or testing of materials, goods, and/or products of those industries which perform primarily conversion, assembly, or nontoxic chemical operations.
3. Laboratories for scientific or industrial research and development.
4. Warehousing and mini warehousing facilities.
5. Offices, professional or medical/dental.
6. Retail sales of products produced and/or assembled on the premises as an accessory use to a permitted manufacturing process.
7. Public parks and public recreation areas.
8. Public utility installations.
9. Wholesale sales.
10. Forestry.
11. Telecommunications tower.
12. Commercial recreation facilities.
13. Educational institutions.
14. Municipal Uses.
15. Regional Stormwater Facility.
16. Solid Waste Management Services and Facilities with up to four (4) fast-fill compressed natural gas (CNG) dispensers.

17. Accessory buildings and uses customarily incidental to the above permitted uses.

SECTION 1603. SPECIAL EXCEPTION USES

The following uses are permitted as a special exception when authorized by the Zoning Hearing Board. In granting any special exception, the Board may attach certain conditions to its approval which, in addition to the requirements listed within this ordinances, it feels are necessary requirements in order to preserve and protect the character of this district.

1. Trucking terminals.
2. Restaurants.
3. Day-care centers.
4. Junkyard.
5. Building materials sales and storage, but with no outside storage of materials.
6. Retail sales of lawn and garden care products and the outdoor sale of nursery stock.
7. Theatre churches.
8. Solid Waste Management Services and Facilities with five (5) or more fast-fill compressed natural gas (CNG) dispensers (including existing dispensers).
9. Accessory buildings and uses customarily incidental to the above special exception uses.

SECTION 1604. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY RIGHT

1. Maximum height:
 - A. Maximum building height: 85 feet, provided that if the lot is adjacent to a residential district, the minimum yard dimension along the side contiguous with the residential district shall be increased by two feet for every foot of building height over 60 feet. This increase shall be in addition to all other minimum yard dimensions set forth in this section.
 - B. Other structures. Chimneys, spires, farm buildings and farm accessory buildings, towers, elevator penthouses, water tanks, antennas, flagpoles, and mechanical and electrical equipment shall not exceed eighty-five (85) feet; however, the permitted height limits are also subject to applicable Federal Aviation Regulations, Part 77, regarding objects affecting navigable airspace.
 - C. Airport Safety Zones. All structures in this district are subject to Section 2214 of this ordinances.
2. Minimum lot requirements:
 - A. Agricultural uses or forestry. Such uses shall comply with the requirements of Section 2503:

- (1) Minimum lot area: 10 acres.
- (2) Minimum lot width: none.
- (3) Minimum lot depth: none.
- (4) Minimum yard dimensions:
 - [a] Front yard:
 - [i] Farm dwelling: 35 feet. (See Section 2213)
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.
 - [b] Side yard:
 - [i] Farm dwelling, each side: 12 feet.
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.
 - [c] Rear yard:
 - [i] Farm dwelling: 35 feet.
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.
- (5) Minimum open area: 75%.
- (6) Sale of farm and/or garden products on a retail basis. Such activities shall comply with the regulations of Section 2503.1.

B. Public utility installations:

- (1) Minimum lot area: none.
- (2) Minimum lot width: none.
- (3) Minimum lot depth: none.
- (4) Minimum yard:
 - [a] Front yard: 25 feet. (See Section 2213)
 - [b] Side yard, each side: 12 feet.

- [c] Rear yard: 12 feet.
- (5) Minimum open area: none.
- (6) Landscaping and screening. (See Section 2512 and Section 2513)
- C. Public parks and public recreation areas.
 - (1) Minimum lot area: none.
 - (2) Minimum lot width: 50 feet.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard:
 - [a] Front yard: 25 feet. (See Section 2213)
 - [b] Side yard: 20 feet.
 - [c] Rear yard: 35 feet.
 - (5) Minimum open area: none.
- D. Telecommunications Tower. Such uses shall comply with the requirements of Section 2516.
- E. Commercial Recreation:
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 40,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 150 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - (6) Length of building. Unless specified in accordance with the applicable T-Zone Overlay, no building shall exceed 150 feet in length.

- (7) Minimum open area: 20%.
- F. Other permitted uses by right:
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 80,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 200 feet.
 - [b] At front yard setback line: 200 feet.
 - (4) Minimum lot depth: 200 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Adjoining buildings or structures.
 - [i] No minimum side or rear yard shall be required on either side of the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoined side by side if:
 - [a] The buildings are connected by passageways, corridors or common areas; and
 - [b] Corridors or common areas are provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.
 - [ii] In order to reduce the continuous appearance of the adjoining buildings or structures, each of the adjoining and connected buildings on the lots, not subject to the specified minimum side yard dimensions, shall have a visual break in the building facade at minimum distances of every 60 feet. Such visual breaks may consist of projections from the building, angles of deflection of the building's center line, or variations in the color or texture of the facade.
 - [e] Perimeter buffer: 10 feet; provided, however, that for any lot adjacent to a residential district, the perimeter buffer shall be 20 feet wide on all sides contiguous with the residential district.

(6) Minimum open area: 15%.

SECTION 1605. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY SPECIAL EXCEPTION.

1. Maximum building height: 35 feet, unless otherwise specified in the applicable T-Zone Overlay and Section 2208 and Section 2214 of this ordinances.

2. Minimum lot requirements:

A. Trucking terminal:

(1) Sewer and water. Both public sewer and public water service are required.

(2) Minimum lot area: 80,000 square feet.

(3) Minimum lot width:

[a] At street line: 200 feet.

[b] At front yard setback line: 200 feet.

(4) Minimum lot depth: 200 feet.

(5) Minimum yard dimensions:

[a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.

[b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.

[c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.

[d] Perimeter buffer: 10 feet; provided, however, that for any lot adjacent to a residential district, the perimeter buffer shall be 20 feet wide on all sides contiguous with the residential district.

(6) Minimum open area: 15%.

B. Restaurants and day-care centers. Such use shall comply with the requirements of Section 2508.

(1) Sewer and water. Both public sewer and public water service are required.

(2) Minimum lot area: 20,000 square feet.

(3) Minimum lot width:

[a] At street line: 100 feet.

[b] At front yard setback line: 100 feet.

- (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 50 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 50 feet along the side contiguous with the residential district.
 - [d] Perimeter buffer: 20 feet.
 - (6) Minimum open area: 20%.
- C. Junkyard:
- (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 80,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 200 feet.
 - [b] At front yard setback line: 200 feet.
 - (4) Minimum lot depth: 200 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 100 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 100 feet along the side contiguous with the residential district.
 - [d] Perimeter buffer: 10 feet; provided, however, that for any lot adjacent to a residential district, the perimeter buffer shall be 30 feet wide on all sides contiguous with the residential district.
 - (6) Minimum open area: 15%.
 - (7) Landscaping and screening. (See Section 2512 and Section 2513)
- D. Theatre churches. Such uses shall comply with the requirements of Section 2519.

E. Lawn and garden products/nursery stock and building materials:

- (1) Minimum lot area: 40,000 square feet.
- (2) Minimum lot width: 150 feet.
- (3) Minimum lot depth: 150 feet.
- (4) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in accordance with the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; however, if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; however, if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Perimeter buffer: 10 feet; however, for any lot adjacent to a residential district, the perimeter buffer shall be 20 feet wide on all sides contiguous with the residential district.
- (5) Minimum open area: 40%.

SECTION 1606. SUPPLEMENTAL REGULATIONS

The uses in this district are also subject to applicable regulations contained in the following articles:

1. Article XVIII, Signs.
2. Article XX, Off-Street Parking and Loading.
3. Article XXI, Accessory Uses.
4. Article XXII, General Regulations.
5. Article XXIV, T-Zone Overlay Area.
6. Article XXV, Performance Standards.

Township of Manheim

Uses Within Industrial Districts

See also applicable T-Zone Overlay Districts for additional use regulations.

KEY:

X = Right

SE = Special exception

C = Conditional

	I-1	I-2	I-3
Agricultural, horticulture, hydroponic uses and necessary buildings	X	X	X
Airports			X
Banks and financial institutions	X		
Building materials sales and storage	SE	SE	SE
Commercial recreation facilities	X	X	X
Community clubs			SE
Day-care centers	SE	SE	
Day-care centers as an accessory use			SE
Distribution facilities			X
Educational institutions	X	X	X
Forestry	X	X	X
Golf courses	SE		SE
Golf driving ranges	SE		SE
Hospice care facility	SE		
Industrial activities involving processing, production, repair, or testing and conversion, assembly, and nontoxic chemical operations	X	X	X
Junkyard		SE	
Retail sale of lawn and garden care products; outdoor sale of nursery stock	SE	SE	SE
Laboratories for research and development	X	X	X
Municipal Uses	X	X	X
Offices, professional	X	X	X
Offices, medical or dental	X	X	X
Public parks and recreational areas	X	X	X
Public utility installations	X	X	X
Regional Stormwater Facility	X	X	X

	I-1	I-2	I-3
Restaurants	SE	SE	SE
Retail sales, excluding supermarkets, motor vehicle service stations or garages, motor vehicle sales buildings, body art establishments, and adult establishments	X		
Retail sales as an accessory use			X
Retail sale of products produced on the property		X	
Retail sales on airport property			SE
Solid Waste Management Services & Facilities (up to 4 fast-fill CNG dispensers)		X	
Solid Waste Management Services & Facilities (5 or more fast-fill CNG dispensers)		SE	
Telecommunications towers	X	X	X
Theater churches	SE	SE	SE
Trucking terminals		SE	
Warehousing and mini warehousing facilities	X	X	X
Wholesale sales	X	X	

(Amended by Ordinance 2021-04, dated June 28, 2021)

ARTICLE XVII. INDUSTRIAL DISTRICT I-3 (Amended by Ordinance 2021-04, dated June 28, 2021)

SECTION 1701. PURPOSE

It is the purpose of this district to provide for manufacturing, industrial, office and commercial recreation uses and operations which contribute to the economic well-being and vitality of the area in the vicinity of the Lancaster Airport and to allow the limited use of existing movie theaters for worship and community activities.

SECTION 1702. USES BY RIGHT

Uses by right shall be as follows:

1. Agricultural, horticulture, hydroponic uses and necessary buildings, including farm dwellings and structures related to the tilling of the land, the raising of farm products, the raising and keeping of horses, cattle, alpacas, llamas, emus and other livestock, the raising of poultry and poultry products and the sale of farm products produced on-site and sold on a retail basis in accordance with Section 2503.
2. Airports.
3. Industrial activities involving processing, production, repair or testing of materials, goods and/or products, involving those industries primarily performing conversion, assembly, or nontoxic chemical operations.
4. Laboratories for scientific or industrial research and development.
5. Warehousing, mini warehousing, and distribution facilities.
6. Offices, professional and medical or dental.
7. Public parks and recreation areas.
8. Public utility installations.
9. Retail sales as an accessory use to any of the industrial activities listed under Section 1702.3 and limited to a maximum of 10% of the total space of such activity. Supermarkets, motor vehicle service stations or garages, motor vehicle sales, and adult establishments are not permitted.
10. Community recreation facilities.
11. Distribution facilities.
12. Forestry.
13. Telecommunications tower.
14. Educational institutions.
15. Municipal Uses.
16. Regional Stormwater Facility.

17. Accessory buildings and uses customarily incidental to the above permitted uses.

SECTION 1703. SPECIAL EXCEPTION USES

The following uses are permitted as a special exception when authorized by the Zoning Hearing Board. In granting any special exception, the Board may attach certain conditions to its approval which, in addition to the requirements listed within this ordinances, it feels are necessary requirements in order to preserve and protect the character of this district.

1. Golf driving range.
2. Golf course.
3. Lawn and garden care products and the outdoor sale of nursery stock.
4. Building materials sales and storage, but with no outside storage of materials.
5. Day-care center as an accessory use to any of the uses by right.
6. Retail sales within an airport; provided, however, that supermarkets, motor vehicle service stations or garages, motor vehicle sales buildings, body art establishments, and adult establishments are not provided.
7. Theater churches.
8. Community clubs in existing movie theaters.
9. Restaurants, provided there are no drive-through facilities.
10. Accessory buildings and uses customarily incidental to the above special exception uses.

SECTION 1704. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY RIGHT

1. Maximum building height: 45 feet, unless otherwise specified in the applicable T-Zone Overlay and Section 2208 and Section 2214 of this ordinances.
2. Minimum lot requirements:
 - A. Agricultural uses or forestry. Such uses shall comply with the requirements of Section 2503.
 - (1) Minimum lot area: 10 acres.
 - (2) Minimum lot width: none.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard:
 - [i] Farm dwelling: 35 feet. (See Section 2213)
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from

the property line and 200 feet from existing dwellings on adjacent property.

[iii] Other permanent structures: 75 feet.

[b] Side yard:

[i] Farm dwelling, each side: 12 feet.

[ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.

[iii] Other permanent structures: 75 feet.

[c] Rear yard:

[i] Farm dwelling: 35 feet.

[ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.

[iii] Other permanent structures: 75 feet.

(5) Minimum open area: 75%.

(6) Sale of farm and/or garden products on a retail basis. Such activities shall comply with the requirements of Section 2503.1.

B. Airports:

(1) Minimum lot area: 10 acres.

(2) Minimum lot width: 300 feet.

(3) Minimum lot depth: 300 feet.

(4) Minimum yard dimensions:

[a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.

[b] Side yard, each side: 50 feet; however, if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.

[c] Rear yard: 50 feet; however, if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.

[d] Perimeter buffer (all sides): 10 feet provided; however, for any lot adjacent to a residential district, the perimeter buffer shall be 20 feet wide on all sides contiguous with the residential district.

- (5) Minimum open area: 80%.
- C. Offices, professional and medical/dental:
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 40,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 50 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 50 feet along the side contiguous with the residential district.
 - [d] Adjoining buildings or structures.
 - [i] No minimum side or rear yard shall be required on either side of the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoined side by side if:
 - [a] The buildings are connected by passageways, corridors or common areas; and
 - [b] Corridors or common areas are provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.
 - [i] In order to reduce the continuous appearance of the adjoining buildings or structures, each of the adjoining and connected buildings on the lots, not subject to the specified minimum side yard dimensions, shall have a visual break in the building facade at minimum distances of every 60 feet. Such visual breaks may consist of projections from the building, angles of deflection of the building's center line, or variations in the color or texture of the facade.
 - [e] Perimeter buffer: 10 feet; provided, however, that for any lot adjacent to a residential district, the perimeter buffer shall be 20 feet wide on all sides contiguous with the residential district.

- (6) Minimum open area: 20%.
- D. Public utility installations:
 - (1) Minimum lot area: none.
 - (2) Minimum lot width: none.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard: 25 feet. (See Section 2213)
 - [b] Side yard, each side: 12 feet.
 - [c] Rear yard: 12 feet.
 - (5) Minimum open area: none.
 - (6) Landscaping and screening. (See Section 2512 and Section 2513)
- E. Public parks and public recreation areas:
 - (1) Minimum lot area: none.
 - (2) Minimum lot width: 50 feet.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard: 25 feet. (See Section 2213)
 - [b] Side yard. 20 feet.
 - [c] Rear yard: 35 feet.
 - (5) Minimum open area: none.
- F. Commercial recreation facilities:
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 40,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 150 feet.
 - [b] At front yard setback line: 150 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.

- [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
- [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
- (6) Minimum open area: Twenty (20%).
- (7) Landscaping and screening. (See Section 2512 and Section 2513)
- (8) Perimeter buffer: 20 feet.
- (9) Length of building: 300'.
- G. Telecommunications tower. Such use shall comply with the requirements of Section 2516.
- H. Other permitted uses by right:
 - (1) Sewer and water. Both public sewer and public water service are required.
 - (2) Minimum lot area: 40,000 square feet.
 - (3) Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
 - (4) Minimum lot depth: 150 feet.
 - (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [d] Adjoining buildings or structures.
 - [i] No minimum side or rear yard shall be required on either side of the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoined side by side if:
 - [a] The buildings are connected by passageways, corridors or common areas; and

[b] Corridors or common areas are provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.

[ii] In order to reduce the continuous appearance of the adjoining buildings or structures, each of the adjoining and connected buildings on the lots, not subject to the specified minimum side yard dimensions, shall have a visual break in the building facade at minimum distances of every 60 feet. Such visual breaks may consist of projections from the building, angles of deflection of the building's center line, or variations in the color or texture of the facade.

[e] Perimeter buffer: 10 feet; provided, however, that for any lot adjacent to a residential district, the perimeter buffer shall be 20 feet wide on all sides contiguous with the residential district.

(6) Minimum open area: 20%.

3. Any use located within the boundaries of the Airport Safety Zone shall be subject to approval by the Lancaster Airport Authority.

SECTION 1705. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY SPECIAL EXCEPTION

1. Maximum building height: 35 feet, unless otherwise specified in the applicable T-Zone Overlay and Section 2208 and Section 2214 of this ordinances.

2. Minimum lot requirements:

A. Golf driving ranges:

(1) Minimum lot area: seven acres.

(2) Minimum lot width: 300 feet.

(3) Minimum lot depth: 900 feet.

(4) Minimum yard dimensions:

[a] Front yard: 50 feet. (See Section 2213)

[b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.

[c] Rear yard: 25 feet; however, if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.

(5) Minimum open area: 80%.

(6) Landscaping and screening. (See Section 2512 and Section 2513)

B. Golf courses:

- (1) Minimum lot area: 50 acres for a nine-hole course and 100 acres for an eighteen-hole course.
- (2) Minimum lot width: 50 feet.
- (3) Minimum lot depth: none.
- (4) Minimum yard dimensions:
 - [a] Front yard: 35 feet. (See Section 2213)
 - [b] Side yard, each side: 50 feet.
 - [c] Rear yard: 50 feet.
- (5) Minimum open area: 80%.
- (6) Landscaping and screening. (See Section 2512 and Section 2513)

C. Lawn and garden products/nursery stock and building materials:

- (1) Minimum lot area: 40,000 square feet.
- (2) Minimum lot width: 150 feet.
- (3) Minimum lot depth: 150 feet.
- (4) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay District. (See Section 2213)
 - [b] Side yard, each side: 25 feet; however, if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; however, if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [e] Perimeter buffer: 10 feet; however, for any lot adjacent to a residential district, the perimeter buffer shall be 20 feet wide on all sides contiguous with the residential district.
- (5) Minimum open area: 40%.

D. Day-care centers and restaurants. Such uses shall comply with the requirements of Section 2508.

- (1) Sewer and water. Both public sewer and public water service are required.
- (2) Minimum lot area: 20,000 square feet.
- (3) Minimum lot width:

- [a] At street line: 100 feet.
- [b] At front yard setback line: 100 feet.
- (4) Minimum lot depth: 150 feet.
- (5) Minimum yard dimensions:
 - [a] Front yard: 50 feet, unless otherwise specified in the applicable T-Zone Overlay or Section 2213.
 - [b] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 50 feet on the side contiguous with the residential district.
 - [c] Rear yard: 25 feet; however, if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - [e] Perimeter buffer: 20 feet.
- (6) Minimum open area: 20%.
- E. Retail sales within an airport boundary. Such use shall comply with the requirements of Section 2409.
- F. Theater churches and community clubs in existing movie theaters. Such uses shall comply with the requirements of Section 2519 and Section 2520.
- 3. Any use located within the boundaries of the Airport Safety Zone shall be subject to approval by the Lancaster Airport Authority.

SECTION 1706. SUPPLEMENTAL REGULATIONS

The uses in this district are also subject to applicable regulations contained in the following articles:

- 1. Article XVIII, Signs.
- 2. Article XX, Off-Street Parking and Loading.
- 3. Article XXI, Accessory Uses.
- 4. Article XXII, General Regulations, particularly Section 2214, Airport Safety Zone.
- 5. Article XXIV, T-Zone Overlay Area.
- 6. Article XXV, Performance Standards.

ARTICLE XVIII. SIGNS (Amended by Ordinance 2016-23, dated 12/12/2016)

SECTION 1801. PURPOSE

The purposes of this article are as follows:

1. To provide for signs as a means of effective visual communication.
2. To promote adopted comprehensive planning and zoning objectives.
3. To assure compatibility of signs with land uses and buildings in the vicinity of the signs and in the community as a whole.
4. To improve the safety of pedestrians, vehicular traffic, and property.
5. To enhance the economic value of the community.
6. To enhance the aesthetic environment.
7. To minimize adverse effects of signs on nearby property.
8. To otherwise promote the public health, safety, morals, and general welfare of the community.
9. To regulate the use of signs through a sign permitting process.
10. To enable the fair and consistent enforcement of this article.

SECTION 1802. DEFINITIONS

The following definitions shall apply to those terms whenever they appear in this article. Any word used in this article which is not defined herein and which is defined in Article V of this ordinance or 440, Subdivision and Land Development, shall, for the purpose of this article, have the meaning defined therein. See also Article XIX, Planned Residential Development, for additional definitions which apply to that article.

AGRICULTURAL SIGN - A sign identifying the sale of farm and/or garden products or a farm occupation.

BILLBOARD - An off-premises, permanent sign which directs attention to a product, service, or cause.

BUILDING SIGN - A sign attached to or painted on a building which has a use in addition to supporting the sign; this includes wall signs and roof signs.

BUSINESS SIGN - An on-premises sign which directs attention to any business, professional, commercial, or industrial activity which is sold, offered, or conducted, other than incidentally, on the premises on which the sign is located. Business signs shall include center signs, but not a home occupation sign. (Also see "center sign.")

CAMPUS SIGN - A sign or signs intended for internal use by users of an educational, industrial or office campus, retirement community, school, house of worship, or airport property. Any campus sign, other than an identification sign, shall be located at least 200 feet from any property

line or public right-of-way.

CENTER SIGN - A business sign which provides identification (but is not an identification sign) at the primary vehicular entrance(s) to a center such as a shopping center, office complex, or industrial park. [Refer to "business sign" in Table 1 and "center sign" in Table 2, Part B, and in Section 1806.2.A.]

CONTRACTOR SIGN - A sign which carries the name and information about a contractor, designer, architect, developer or similar entity who is actively involved in construction work or design work occurring on the premises on which the sign is located.

DEVELOPMENT SIGN - An identification sign at a residential development and located at its entrance. [Refer to "identification sign" in Table 1 and "development sign" in Table 2, Part B, and in Section 1806.7.A.]

ELECTRONIC VARIABLE MESSAGING SIGN (EVMS) - A sign, or a portion thereof, where the message copy includes characters, letters or illustrations that can be changed or rearranged electronically from a remote location without touching or physically altering the primary surface of the sign.

FREESTANDING SIGN - A sign not attached to or painted on a building, or a sign attached to or painted on a structure that is erected for the sole purpose of supporting the sign.

GARAGE/YARD SALE SIGN - A temporary sign which directs attention to the sale of personal goods at a private residence or at a residential development.

GOVERNMENT SIGN - An off-premises sign placed by a federal, state or municipal government or government agency, such as a traffic, directional, informational, or street name sign or an historical marker.

HOME OCCUPATION SIGN - A sign providing information about a business activity conducted within a dwelling unit on the premises on which the sign is located.

IDENTIFICATION SIGN - An on-premises sign used to identify the name and display information about an individual, organization, agency, institution, facility, or development, other than a business, professional, commercial or industrial facility. (Also see "development sign" and "public use sign.")

INCIDENTAL SIGN - An informational sign, no more than four square feet in size and not including any commercial message or logo, which carries a message such as "enter," "open," "telephone," "rest rooms," "no parking," "no trespassing," "warning," a listing of hours when open, an on-site direction, or anything similar, except that one "enter" sign per entrance may include a logo or business name, as long as the entrance is exclusively for that business, and the logo or business name is subordinate to the word "enter."

ISSUE SIGN - A sign that directs attention to an opinion of a public or private nature, such as, but not limited to, a community, social, religious, political, or ballot issue.

LOT - When used in Article XVIII, Signs, the word "lot" shall mean a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit (e.g., the area used by a dwelling unit in a townhouse structure or a tenant space in a multiple-tenant building).

NIT - A measure of light emitted from an LED or like type of display and equaling one candela per square meter. Brightness of light.

NONPROFIT ORGANIZATION SIGN - An off-premises sign displaying information about a house of worship, service club, or other organization which does not operate for the purpose of making a profit.

OFF-PREMISES SIGN - A sign that does not apply to the property on which it is displayed.

ON-PREMISES SIGN - A sign that applies to the property on which it is displayed.

OPEN HOUSE SIGN - A temporary sign which provides information about a real estate open house, including the words "open house" and the name of the realtor.

OVERHEAD SIGN - A sign located such that pedestrian or vehicular traffic can safely pass beneath any part of it.

PERMANENT SIGN - A sign intended to be maintained and displayed for an unlimited period of time.

PUBLIC USE SIGN - An identification sign used to identify the name and display information about a public use such as a government building, school, park, firehouse, or house of worship. (Refer to "identification sign" in Table 1 and "public use sign in Table 2, Part B.)

PUBLIC UTILITY SIGN - A sign with a message relating to a business organization performing a public service and subject to special governmental regulations (e.g., an electric company, sewer authority, gas, cable, or telephone company).

REAL ESTATE SIGN - A temporary sign which advertises the sale, lease, rent, financing or development of the property on which the sign is placed, but not including an open house sign, temporary business sign, or an auction sign. (See "special event sign.")

ROOF SIGN - A sign attached to or painted on a roof.

SIDEWALK SIGN - A temporary sign placed on the sidewalk or behind the public right-of-way adjacent to the commercial activity it advertises, but not including a contractor sign, a garage/yard sale sign, a home occupation sign, an open house sign, a real estate sign, a sandwich board sign or a special event sign.

SPECIAL EVENT SIGN - A temporary sign which carries information about a special event, such as an auction, flea market, festival, carnival, meal, holiday event, or fund-raising event, but not including any business sign, such as a "sale" sign at a store or recurring event such as a sporting or social event.

TEMPORARY BUSINESS SIGN - A temporary business sign that indicates special events, such as the pending opening, official opening ("Grand Opening"), pending closing or temporary retail sales.

TEMPORARY SIGN - A sign that is displayed for a limited period in any given year, not to exceed three (3) months in any one year, unless stated otherwise in this ordinance.

WALL SIGN - A sign attached to or painted on the wall of a building.

SECTION 1803. SIGN AREA AND HEIGHT

The following guidelines shall apply when interpreting area and height regulations in this article:

1. Area. The area of a sign shall be the area of the smallest rectangle, triangle, or circle that will encompass all elements of the sign, such as letters, figures, symbols, designs, or other display.
 - A. When the sign is a separate unit, the area shall include any borders, framing, trim, decorative attachments, background, and space between elements; it shall not include any supporting structure, unless that structure is illuminated, is in the form of a symbol, or contains advertising elements.
 - B. When the sign is applied to a wall or otherwise does not have definable edges, the area shall include all color, artwork, or other means used to differentiate the sign from the surface upon which it is placed.
 - C. When a single sign structure has more than one face with the same message, and no two sign faces are more than three feet apart at any point, the area shall be computed by determining the greatest total area of all sign faces visible from any single location.
2. Height. The height of a sign shall be measured from the average ground level beneath the sign to the highest point of the sign structure. The ground level shall be the lower of the ground level existing at the time of construction or the ground level existing prior to construction and prior to any earth disturbance at the site. This prior ground level may be established by a reliable source, including, without limitation, existing topographic maps, aerial photographs, photographs of the site, or affidavits of people who are personally familiar with the site. No person(s) shall artificially increase the maximum height of a sign by altering the grade at the base of the sign by any means.
 - A. No sign shall be higher than the height limitation of the district in which it is located.
 - B. The height of freestanding signs shall be controlled by the standards in Table 2.
 - C. Wall signs may be at any height on the wall to which they are attached, except that:
 - (1) Where such sign refers to the first-floor use of a multistory (two or more stories) mixed-use building, the top of such sign shall not extend above the base of the second floor window or sill and shall not exceed a maximum height of fifteen (15) feet above the front sidewalk elevation.
 - (2) On a single-use building, such sign may not extend higher than the top of the wall to which it is attached.
 - D. Roof signs may extend no more than five feet above the lowest point where they are attached to the building and may not extend above the highest point of the roof.

SECTION 1804. GENERAL REGULATIONS

The following regulations shall apply to all signs, in addition to the specific regulations and

supplemental regulations contained in the following provisions of this article. Where the general regulations are contradicted by the specific or supplementary regulations, the specific or supplementary regulations shall control.

1. All signs shall reflect the general character of the neighborhood.
2. All signs shall be constructed of durable materials, maintained in good condition, and secured in a safe manner.
3. When a sign becomes unsafe, the Zoning Officer or designated code official shall give written notice to the owner of the premises on which the sign is located that the sign must be made safe or removed immediately.
4. The areas surrounding all signs shall be maintained in a neat, clean, and attractive condition.
5. All signs shall be removed within three months if the purpose for which they were erected no longer exists.
6. Each property which displays one or more permanent freestanding signs and which is in an area where street addresses have been assigned must prominently display the address on one permanent freestanding sign visible from the street. The address must include the street number; the street name is optional. The address must be of a size and design which is easily identifiable and legible from moving traffic in the street at a distance of 100 feet (six-inch-high numerals with a three-fourths-inch stroke). Such numerals shall be a contrasting color to the sign background. The area taken up by the address does not count as part of the sign area. Center signs are exempt from this requirement.
7. Temporary signs, including temporary business signs, shall be permitted as authorized in Table 1 of this Article.
8. No sign shall be located within a street right-of-way, except a government sign, a public utility sign, a sidewalk sign, a nonprofit organization sign, or another sign approved by the governing body or the Pennsylvania Department of Transportation.
9. No sign within the clear sight triangle should obstruct vision between the heights of 30 inches and eight feet above the elevation of the center line of the street.
10. No signs shall be painted, pasted, nailed, stapled, taped or otherwise attached to utility poles, trees, fences, fire hydrants, speed limit sign posts, signal control boxes, Township-owned utilities, or in an unauthorized manner to walls or other signs, except insofar as such signs comply with generally applicable rules, regulations, or policies formally adopted by the governing body.
11. Any freestanding sign within a floodplain must receive specific approval as a special exception.
12. No sign shall be placed so as to obstruct any door, stairway, window, fire escape, handicapped-accessible route, or other means of egress or ingress.
13. No sign shall be placed so as to obstruct ventilation or light from a building.

14. No overhead sign shall have a clearance of less than eight feet between any pedestrian walk and the lowest part of the sign; and less than 17 feet six inches between any roadway and the lowest part of the sign.
15. No sign which is parallel to and attached to the face of a building shall project more than 18 inches over a public sidewalk.
16. No sign which is perpendicular to and attached to the face of a building shall project more than 48 inches from the building.
17. No sign shall have lights or other illuminating devices which constitute a public safety or traffic hazard.
18. No sign shall be permitted which imitates or which might be confused with an official traffic sign or signal, such as by containing the words "stop" or "danger" or by including red, green, or yellow lights.
19. No sign shall include a revolving beam or beacon of light resembling an emergency vehicle or facility.
20. No sign shall advertise activities or products which are illegal under federal, state, or local municipal laws or regulations.
21. No sign shall include statements, words, or pictures which are considered to be vulgar, obscene, or pornographic.
22. No streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, feather flags, bow flags, wind flags, inflatable flags, flags (other than as described in Section 1804.23.) below, air dancer puppets or similar materials shall be displayed outside a building. (See Section 1806.13. for regulations which apply to banners used as special events signs.)
23. In addition to any other signage permitted by this article, any nonresidential property may display a maximum of three flags where each flag is a maximum of 35 square feet in area and is located on an approved, standard flagpole. Such flags may display the company or corporate identification logo, the United States flag or the flag of the Commonwealth of Pennsylvania. In addition, nonresidential properties shall be permitted to display one decorative flag not to exceed fifteen (15) square feet in area.
24. No animated, sequential, intermittent, flashing, rotating, or oscillating signs shall be permitted except for electronic variable messaging signs in accordance with Section 1806.4.
25. No sign shall emit smoke, visible vapors, particles, sound, or odor.
26. No signs shall be placed on an automobile, truck, trailer, or other vehicle if that vehicle is being used primarily for displaying such sign. An automobile, truck, trailer or other vehicle used for business purposes may not be parked off-premise in a manner used to exhibit the automobile, truck, trailer, or vehicle as a sign display.
27. No inflatable structures shall be permitted on the premises of nonresidential properties.
28. No open flames shall be permitted as part of a sign or in any other way to attract attention.

29. Advertising painted upon or displayed upon a barn or other structure shall be considered a sign and shall comply with the regulations of this article.
30. Signs may be interior lighted with nonglaring lights; signs may be externally lighted by lights which are shielded so there is no direct light transmitted to other properties or public rights-of-way, and the source of such light is not visible to other properties or public rights-of-way.
31. The light from any illuminated sign shall not adversely affect safe vision of operators of vehicles moving on public or private streets or parking areas, any residential district, or any part of a building or property used for residential purposes.
32. No lighting shall be permitted to outline buildings or structures or architectural elements thereof through the use of exposed skeleton or neon tubing, strings of lights, or other illumination means, with the exception of customary holiday decorations, which may be installed 30 days prior to and removed not later than 21 days after the holiday, and accent lighting around the perimeter of a sign, in which case the lighting shall be incorporated into the calculation of total sign area.
33. No signs for permitted nonresidential uses in residential districts shall be illuminated when the nonresidential use is closed.
34. All electrically illuminated signs shall be constructed to the standards and listing of the Underwriters Laboratories, Inc., or other approved nationally recognized testing laboratory and the most recent adopted edition of the National Electric Code.
35. Freestanding signs greater than twenty (20) square feet in area shall be designed in accordance with the applicable design and construction requirements of the current International Building Code, as amended. The design shall be reviewed, signed and sealed by a licensed design professional registered in the Commonwealth of Pennsylvania.
36. Signage may be displayed on one (1) construction trailer, provided the construction trailer is used primarily for storage rather than for advertising; the construction trailer is situated on an active construction site; the construction trailer complies with all setback requirements of the underlying zoning district; and the construction trailer is removed once construction activity is completed or discontinued. Banners or other temporary signage displays may not be located on the construction trailer.

SECTION 1805. SPECIFIC REGULATIONS

Tables 1 and 2 provide regulations for specific kinds of signs in each zoning district. Note that separate regulations for planned residential developments are found in the respective section. Also note that there are also supplemental regulations in Section 1806 which should be reviewed for most kinds of signs; these are referenced in the second column of Table 1, the note at the top of Table 2, Part A, and the second column of Table 2, Part B.

1. Permitted signs and sign permit requirements. Table 1 indicates, for each zoning district, which kinds of signs are permitted and not permitted, and which kinds of signs require permits. Part A applies to signs on residential properties; Part B applies to signs on

nonresidential properties. In those parts, an "N" indicates that the sign is not permitted; a "P-Y" indicates that the sign is permitted and a permit is required; a "P-N" indicates that the sign is permitted and a permit is not required. Part C applies to signs in rights-of-way; these are approved through special processes rather than through the regular permit procedure.

2. Permitted number, area, height, and setback for signs. Table 2 indicates, for each zoning district, information about the permitted number, maximum area, maximum height, and minimum setback for each kind of sign. Part A has standards for the following kinds of signs: business signs (except center signs), home occupation signs, and identification signs (except development signs and public use signs). Part B has standards for other kinds of signs.

SECTION 1806. SUPPLEMENTAL REGULATIONS

In addition to the regulations contained elsewhere in this article, the following shall apply to specific kinds of signs. The regulations in Tables 1 and 2 apply in addition to the following supplemental regulations. Where the provisions in the supplemental regulations and Tables 1 and 2 are contradictory, the provisions contained in the supplemental regulations shall control.

1. Billboards. There may be no more than one billboard structure on a lot; it may have two surfaces, with a total of two messages, as long as the surfaces are back-to-back or at an angle of $\leq 45^\circ$. Each surface may have an area of 72 square feet, whether or not the messages are the same. Each billboard structure must have setbacks of 30 feet from any street right-of-way and 15 feet or the minimum building setback, whichever is greater, from other property lines. Each billboard structure must be at least 1,200 feet from any other billboard structure, at least 300 feet from any residential, village or, agricultural zoning district or overlay district, and at least 300 feet from a residential use, house of worship, school, library, or other community facility, as measured from the property line of the parcel on which such use is located.
2. Business signs. Business signs are regulated in accordance with Tables 1 and 2A. Business signs for individual businesses which are permitted by Table 2A must be located so that they are identified with the individual business, i.e., rather than being at the street frontage of a large center, away from the business they are advertising. One special kind of business sign is regulated in accordance with Tables 1 and 2B:
 - A. Center signs are allowed for centers such as shopping centers, office parks, and industrial parks which meet at least two of the following three minimums:
 - (1) Five units/tenants;
 - (2) Twenty thousand square feet of building footprint area; and
 - (3) Five acres of land.
3. Contractor signs.
 - A. Each contractor, designer, architect, developer or similar entity sign must be setback at least 10 feet from the right-of-way or at the building face, whichever is less, may not be in the side yard setback, and may not be illuminated. Contractor signs shall not

- be placed in the clear sight triangle and shall not obstruct the vision of any motorist. Contractor signs must be removed promptly upon completion of the project; signs which are not removed promptly may be removed and impounded by the municipality, and the municipality may recover a fee equal to the cost of removal and storage. No off-premises contractor signs are permitted.
- B. If there are four or more contractor signs on a single lot, they must be combined in a single display by attaching them to a single background panel not to exceed 32 square feet in total sign area and a maximum of six square feet per individual sign. The background is not included in calculating the sign area, the height of the display may not exceed 10 feet, and the display may project a maximum of 12 inches from the wall if attached parallel to the building.
4. Electronic variable messaging signs (EVMS).
- A. Such sign shall be permitted only on a portion of an approved freestanding sign. The sign area of an EVMS sign shall be a maximum of 60% of the total area of the total freestanding sign.
- B. The display shall have a maximum luminance of 5,000 nits during daylight hours and a maximum of 125 nits for dusk through dawn.
- C. The message displayed on the sign shall be static and nonanimated and shall remain fixed for a minimum of five (5) minutes.
- D. When the message is transitioned, it shall be accomplished in one second or less with all moving parts or illumination changing simultaneously and in unison.
- E. The sign shall contain a default design that will freeze the sign in one position if a malfunction occurs or, in the alternative, shut down.
- F. The sign shall not display any message that moves, appears to move, scrolls, or changes in intensity during the fixed display period.
- G. The sign shall retain a dark-colored background with light-colored graphics, letters or symbols.
- H. There shall be a maximum of one EVMS sign per property.
5. Garage/yard sale signs. One on-premises garage/yard sale sign with a maximum of six square feet may be placed no more than 48 hours before the sale and must be removed before the end of the day of the sale. A maximum of two off-premises signs with a maximum of four square feet each are permitted per garage/yard sale. Such signs shall be freestanding and shall not be attached to any utility poles, signal poles, or trees and shall only be posted for the day of the sale. Signs which are not removed within the time limit may be removed and impounded by the municipality, and the municipality may recover a fee equal to the cost of removal and storage.
6. Home occupation signs. A home occupation sign may include a name, an address, an occupation or activity, and a logo or trademark. There may be no illumination, except that a sign for a medical office or emergency service may be illuminated when the business is open.

7. Identification signs. Identification signs are regulated in accordance with Tables 1 and 2A. However, two special kinds of identification signs are regulated in accordance with Tables 1 and 2B: development signs and public use signs.
 - A. Development signs are allowed for residential developments. They shall include only the name of the development and shall not include any commercial advertising.
 - B. Public use signs are permitted for nonresidential uses other than a business, office or industry and include both freestanding and building signs providing information pertaining to the use and on-premises activities.
8. Incidental signs. Incidental signs must have a setback of 10 feet from the right-of-way, unless they are 30 inches or less in height, in which case no setback is required.
9. Nonprofit organization signs. Nonprofit organization signs may be placed in street rights-of-way with the approval of the Board of Commissioners. The governing body may require that they be placed at designated entrances to the community or on common display panels.
10. Open house signs. Open house signs must include the words "open house" and the name of the realtor. They may be displayed no more than three days in advance of the open house and must be removed within two hours of the end of the open house. The open house must be attended by the seller or his representative during the entire advertised time of the open house. Signs which are not removed within the time limits may be removed and impounded by the municipality, and the municipality may recover a fee equal to the cost of removal and storage. There may be no more than two off-premises open house signs for each open house, with not more than one sign per intersection. The placement of open house signs may not interfere with pedestrian or vehicular traffic and must comply with all applicable general regulations in Section 1804.
11. Real estate signs.
 - A. Real estate signs must be removed within five (5) days of the completion of the activity which they advertise. Signs which are not removed within the time limits may be removed and impounded by the municipality, and the municipality may recover a fee equal to the cost of removal and storage. No off-premises real estate signs are permitted.
 - B. Real estate signs including financial signs may not be displayed individually but shall be combined in a single display by attaching them to a single background panel not to exceed the maximum requirements of this article for a single real estate sign.
12. Sidewalk signs. Sidewalk signs shall not be more than 24 inches wide and 48 inches high if placed next to the curb; if placed next to buildings having obstructions such as steps, they shall not be more than 42 inches wide and 72 inches high. The distance between sidewalk signs shall be at least 15 feet. The minimum of four feet of unobstructed walkway shall be maintained.
13. Special event signs. Special event signs may be displayed no more than twenty one (21) days in advance of the event. All special event signs must be removed within five days (5) of the end of the event. Signs which are not removed within the time limits may be removed and impounded by the municipality, and the municipality may recover a fee equal

to the cost of removal and storage. Any special event signs which do not meet the standards of this article must be approved by special action of the governing body. An on-premises auction sign advertising the auction of real estate may be displayed more than twenty one (21) days in advance of the auction if it follows all real estate sign standards.

SECTION 1807. PERMIT REQUIREMENTS

Permits for the placement of signs are required as indicated by Table 1. Sign permit application requirements, such as forms, plans, and fees, shall be established by the governing body.

SECTION 1808. NONCONFORMING SIGNS

Any sign legally existing at the time of the passage of this ordinance that does not conform in use, location, height or size with the regulations of the zone in which such sign is located shall be considered a legal nonconforming sign and shall be permitted to continue in such status until such time as it is either abandoned or removed by its owner, subject to the following limitations:

1. Structural alterations, enlargement or re-erection are permissible only where such alteration will not increase the degree of nonconformity.
2. A legal nonconforming sign may be moved to another position on the building or lot on which it is located, provided that moving such a sign would reduce or eliminate the nonconformity. This action shall require the notification and permission of the Zoning Officer or Sign Code Official.
3. Whenever a nonconforming sign has been altered to lessen the nonconformity, such sign shall not thereafter be changed to increase the nonconformity.
4. A nonconforming sign which is damaged or destroyed may be rebuilt in the same location and form as before the damage after obtaining appropriate permits and provided that:
 - A. The damage or destruction was unintentional and not the result of neglect or abandonment.
 - B. The previous foundation is to be used for restoration.
 - C. The reconstructed sign shall not be larger than the damaged structure.
 - D. The reconstruction shall start within six months from the time of damage.
 - E. The repair of a nonconforming structure shall not cause the structure to create further expansion in a nonconforming dimension or aspect.
5. No nonconforming sign which has been dismantled or damaged by neglect or abandonment may be repaired or rebuilt, except as a conforming sign, unless specifically approved to be repaired or rebuilt as a nonconforming sign as a special exception by the Zoning Hearing Board.
6. If the use for which a nonconforming sign refers is abandoned, all signs accessory to such use shall be deemed to become unlawful and shall be removed within three calendar months from the date such use terminates.
7. Any sign which has been authenticated as historically significant and accurate for its

specific location, whether original or a replica, may be granted permanent nonconforming status as a special exception by the Zoning Hearing Board.

Township of Manheim

Table 1: Permitted Signs and Sign Permit Requirements

(See Table 2 and supplemental regulations referenced in second column for additional standards;
also see explanation in Section 1805.1)

LEGEND: Zoning districts – The abbreviation in the column headings represent the zoning districts of Manheim Township as follows:

A – Agricultural

R-1 and R-2 – Low-Medium-Intensity Residential

R-3 – Medium-Intensity Residential

IN – Institutional

B-1 and B-2 – Business

B-3 and B-4 – Business

I-1, I-2 and I-3 – Industrial

Other – The other abbreviations within the table are as follows:

P-Y – Sign is permitted and permit is required.

P-N – Sign is permitted and permit is not required.

N – Sign is not permitted.

Part A – Signs on Residential Properties

Kind of Sign	Supp. Regs.	Zoning District						
		A	R-1 and R-2	R-3	IN	B-1 and B-2	B-3 and B-4	I-1, I-2 and I-3
Freestanding signs and building signs – permanent								
Home occupation sign	Section 1806.6	P-Y	P-Y	P-Y	P-Y	P-Y	P-Y	P-Y
Identification sign	Section 1806.7							
Incidental sign	Section 1806.8	P-N	P-N	P-N	P-N	P-N	P-N	P-N
Billboard	Section 1806.1	N	N	N	N	P-Y	P-Y	P-Y
Agricultural sign		P-Y	P-Y	P-Y	P-Y	P-Y	P-Y	P-Y
EVMS	Section 1806.4	N	N	N	P-Y	P-Y	P-Y	P-Y
Other		N	N	N	N	N	N	N

Table 1: Permitted Signs and Sign Permit Requirements

(See Table 2 and supplemental regulations referenced in second column for additional standards;
also see explanation in Section 1805.1)

**Part A – Signs on Residential Properties
(Continued)**

Kind of Sign	Supp. Regs.	Zoning District						
		A	R-1 and R-2	R-3	IN	B-1 and B-2	B-3 and B-4	I-1, I-2 and I-3
Freestanding signs and building signs – temporary								
Garage/yard sale sign	Section 1806.5							
Open house sign	Section 1806.10							
Real estate sign	Section 1806.11	P-N	P-N	P-N	P-N	P-N	P-N	P-N
Contractor sign	Section 1806.3							
Issue signs	Section 1802							
Special event sign (on premises)	Section 1806.13	P-N	P-N	P-N	P-N	P-N	P-N	P-N
Special event sign (off premises)	Section 1806.13	N	N	N	N	P-N	P-N	P-N
Temporary business sign	Section 1802	N	N	N	N	N	N	N
Other		N	N	N	N	N	N	N

Table 1: Permitted Signs and Sign Permit Requirements

(See Table 2 and supplemental regulations referenced in second column for additional standards; also see explanation in Section 1805.1)

Part B – Signs on Nonresidential Properties

Kind of Sign	Supp. Regs.	Zoning District						
		A	R-1 and R-2	R-3	IN	B-1 and B-2	B-3 and B-4	I-1, I-2 and I-3
Freestanding signs and building signs – permanent								
Business sign	Section 1806.2	P-Y	P-Y	P-Y	P-Y	P-Y	P-Y	P-Y
Identification sign	Section 1806.7							
Incidental sign(a)	Section 1806.8	P-N	P-N	P-N	P-N	P-N	P-N	P-N
Billboard	Section 1806.1	N	N	N	N	P-Y	P-Y	P-Y
Agricultural sign		P-Y	P-Y	P-Y	P-Y	P-Y	P-Y	P-Y
Campus sign(a)		P-N	P-N	P-N	P-N	P-N	P-N	P-N
EVMS	Section 1806.4	N	N	N	P-Y	P-Y	P-Y	P-Y
Other		N	N	N	N	N	N	N
Freestanding signs and building signs – temporary								
Business sign	Section 1806.2							
Open house sign	Section 1806.10							
Real estate sign	Section 1806.11	P-N	P-N	P-N	P-N	P-N	P-N	P-N
Contractor sign	Section 1806.3							
Special event sign	Section 1806.13							
Issue signs	Section 1802							
Sidewalk Sign	Section 1806.12	P-N	N	N	N	P-N	P-N	P-N
Temporary Business sign	Section 1802							
Other		N	N	N	N	N	N	N

NOTES: (a) An electric permit is required if any sign uses electricity, whether directly or indirectly.

Table 1: Permitted Signs and Sign Permit Requirements

(See Table 2 and supplemental regulations referenced in second column for additional standards;
also see explanation in Section 1805.1)

Part C – Signs in Rights-of-Way

Kind of Sign	Supp. Regs.	Zoning District						
		A	R-1 and R-2	R-3	IN	B-1 and B-2	B-3 and B-4	I-1, I-2 and I-3
Nonprofit org. sign	Section 1806.9	Permitted by Board of Commissioners						
Other	Section 1806.8							

Township of Manheim

Table 2: Permitted Number, Area, Height and Setback for Signs

LEGEND:

Zoning districts – The abbreviation in the column headings represent the zoning districts of Manheim Township as follows:

- | | |
|--|-------------------------------|
| A – Agricultural | B-1 and B-2 – Business |
| R-1 and R-2 – Low-Medium-Intensity Residential | B-3 and B-4 – Business |
| R-3 – Medium-Intensity Residential | I-1, I-2 and I-3 – Industrial |
| IN – Institutional | |

Part A- Business Signs (Except Center Signs), Home Occupation Signs, and Identification Signs (Except Development Signs and Public Use Signs)

[Number permitted and maximum area refer to the combined total of all the above kinds of signs; also see supplemental regulations for additional standards: business signs (Section 1806.2.), home occupation signs (Section 1806.6.), and identification signs (Section 1806.7).]

Kind of Sign and Standards	Zoning District						
	A	R-1 and R-2	R-3	IN	B-1 and B-2	B-3 and B-4	I-1, I-2 and I-3
Freestanding signs							
Number permitted per lot	1(d)	1(d)	1(d)	1	1	1(a)(c)	1(a)(c)
Maximum area (square feet)	12	2	2	20	20	(b)	(b)
Maximum height (feet)	6	6	6	20	20	20	20
Minimum setback from right-of-way/property line (feet)	10	10	10	10	10	10	10
Building signs (e)							
Single Occupancy Uses							
Number permitted per lot (for single-occupancy uses)	1(d)	1(d)	1(d)	No limit	No limit	No limit	No limit
Maximum total area of all building signs	12	2	2	1 ½ square per linear foot of façade to which sign is attached, up to maximum of 200 square feet of signage per tenant.			
Multi Occupancy Uses							
Number permitted per lot (for shopping centers, office parks or industrial parks or other multi-use tenant)	N/A	N/A	N/A	No limit	No limit	No limit	No limit
Maximum total area of all building signs	N/A	N/A	N/A	1 1/2 square feet per linear foot of facade to which sign is attached, up to maximum of 200 square feet of signage per tenant			

NOTES:

- (a) Number permitted on each parallel street frontage for each parcel, except that, in a structure with multiple businesses, the individual businesses may not have their own freestanding signs.
- (b) The area permitted on each street frontage is 120 square feet.
- (c) An additional freestanding sign is permitted for each additional parallel street frontage, with the area to be calculated as indicated in Note (b) above, and with no freestanding sign to exceed 120 square feet.
- (d) Only one home occupation sign is permitted per property. If a freestanding sign is selected, it must be located directly behind the curb on a mailbox column (if one is present). If no mailbox column is present, the sign may be attached to a single post or attached to the building. A building sign may be used in place of a freestanding sign, but not in addition to a freestanding sign. No sidewalk sign or business related flags are permitted.
- (e) The length of the facade of an irregularly shaped building (e.g., a circular building, an “S” shaped building, or a building with one or more ell on the side in question) is the straight line distance between the two ends of the building.

Table 2: Permitted Number, Area, Height and Setback for Signs

Part B – Other Kinds of Signs

(See supplemental regulations referenced in second column for additional standards; note that minimum setbacks apply to freestanding signs only and are to be measured from the right-of-way and/or property line.)

LEGEND:

N/A = Not applicable

Kind of Sign and Standards	Supp. Regs.	Zoning District						
		A	R-1 and R-2	R-3	IN	B-1 and B-2	B-3 and B-4	I-1, I-2 and I-3
Agricultural								
Maximum area/surface (square feet)		12	12	12	12	12	12	12
Maximum height (feet)		6	6	6	6	6	6	6
Minimum setback (feet)		10	10	10	10	10	10	10
# permitted		1 per lot						
Billboard	Section 1806.1.							
Maximum area/surface (square feet)		N/A	N/A	N/A	N/A	72	72	72
Maximum height (feet)		N/A	N/A	N/A	N/A	25	25	25
Minimum setback (feet)		N/A	N/A	N/A	N/A	*	*	*
# permitted		See Section 1806.1. for applicable standards						
Campus sign								
Maximum area/surface (square feet)		N/A	10	10	10	20	20	20
Maximum height (feet)		N/A	10	10	10	10	10	10
Minimum setback (feet)		N/A	200	200	200	200	200	200
# permitted		No limit						
Center Sign	Section 1806.1.A.							
Maximum area/surface (square feet)		20	20	20	20	120	120	120
Maximum height (feet)		6	6	6	6	20	20	20
Minimum setback (feet)		10	10	10	10	10	10	10
# permitted/center		1 per principal entrance, up to maximum of 2						

Kind of Sign and Standards	Supp. Regs.	Zoning District						
		A	R-1 and R-2	R-3	IN	B-1 and B-2	B-3 and B-4	I-1, I-2 and I-3
Contractor sign Maximum area/surface (square feet) Maximum height (feet) Minimum setback (feet) # permitted/lot	Section 1806.3.	6	6	6	6	6	6	6
		6	6	6	6	6	6	6
		*	*	*	*	*	*	*
		1 per contractor; see Section 1806.3. for multiple signs on one lot						
Development sign Maximum area/surface (square feet) Maximum height (feet) Minimum setback (feet) # permitted/res. development	Section 1806.7.A.	20	20	20	20	20	20	20
		6	6	6	6	20	20	20
		10	10	10	10	10	10	10
		1 per principal entrance, up to maximum of 2 entrances						
Garage/yard sign Maximum area/surface (square feet) Maximum height (feet) Minimum setback (feet) # permitted/lot	Section 1806.5.	Permitted number, area, height, and setbacks are defined in the supplemental regulations						
Government sign	None	Placed within rights-of-way; generally not regulated by this article						
Incidental sign Maximum area (square feet) Maximum height (feet) Minimum setback (feet) # permitted/lot	Section 1806.8.	4	4	4	4	4	4	4
		6	6	6	6	6	6	6
		10	10	10	10	10	10	10
		No limit						
Issue sign Maximum area (square feet) Maximum height (feet) Minimum setback (feet) # permitted/lot		6	6	6	32	32	32	32
		6	6	6	10	10	10	10
		10	10	10	10	10	10	10
		No limit for permitted time for display; 1 per street frontage, up to 2 per lot						

Kind of Sign and Standards	Supp. Regs.	Zoning District						
		A	R-1 and R-2	R-3	IN	B-1 and B-2	B-3 and B-4	I-1, I-2 and I-3
Nonprofit org. sign	Section 1806.9.							
Maximum area (square feet)		4	4	4	4	4	4	4
Maximum height (feet)		6	6	6	6	6	6	6
Minimum setback (feet)		*	*	*	*	*	*	*
# permitted	As approved by the Board of Commissioners							
Open house sign	Section 1806.10							
Maximum area (square feet)		6	6	6	6	6	6	6
Maximum height (feet)		6	6	6	6	10	10	10
Minimum setback (feet)		N/A*	N/A*	N/A*	N/A*	N/A*	N/A*	N/A*
# permitted/lot	1 on-premises open house sign; see Section 1806.10. for off-premises open house signs							
Public use sign								
Maximum area (square feet)		40	40	40	40	40	40	40
Maximum height (feet)		6	6	6	6	10	10	10
Minimum setback (feet)		10	10	10	10	10	10	10
# permitted/lot	1 building sign per lot and 1 freestanding sign per principal entrance							
Real estate sign	Section 1806.11							
Maximum area (square feet)		6	6	6	32	32	32	32
Maximum height (feet)		6	6	6	10	10	10	10
Minimum setback (feet)		10	10	10	10	10	10	10
# permitted/lot	1 per street frontage, up to maximum of 2 per lot. See Section 1806.11. for combined signage.							
Sidewalk sign	Section 1806.12							
Maximum area (square feet)		See Section 1806.12 for applicable standards						
Maximum height (feet)								
Minimum setback (feet)								
# permitted/lot	1 per street frontage, up to maximum of 2 per lot; no limit for permitted time for display							

Kind of Sign and Standards	Supp. Regs.	Zoning District						
		A	R-1 and R-2	R-3	IN	B-1 and B-2	B-3 and B-4	I-1, I-2 and I-3
Special event sign	Section 1806.13							
Maximum area (square feet)		16	16	16	16	16	16	19
Maximum height (feet)		6	6	6	6	6	6	6
Minimum setback (feet)		10	10	10	10	10	10	10
# permitted/lot		1 per lot per event; an on-premises auction sign advertising the auctioning of real estate only may be displayed more than 21 days in advance of the auction if it follows all real estate sign standards						
Temporary business sign								
Maximum area (square feet)		16	X	X	X	16	16	16
Maximum height (feet)		6	X	X	X	6	6	6
Minimum setback (feet)		10	X	X	X	10	10	10
No. permitted/lot		1 per lot.						
# permitted/shopping center, office park, or industrial park.		2 per shopping center, office park or industrial park.						

NOTES:

*See supplemental regulations.

ARTICLE XIX. PLANNED RESIDENTIAL DEVELOPMENT

SECTION 1901. INTENT

The intent of the Board of Commissioners in enacting this article is to:

1. Encourage innovative, neotraditional residential/mixed-use developments so that the growing demand for housing may be met by greater variety in type, design and layout of dwellings and by the conservation and more efficient use of open space ancillary to said dwellings.
2. Extend greater opportunities for traditional community living, working, housing and recreation to all citizens and residents of this Township.
3. Encourage a more efficient use of land and of public services and to reflect changes in technology of land development by directing new development in a traditional pattern of mixed-use and varied housing types.
4. Provide a procedure which can relate the type, design and layout of residential development to the particular site, the particular demand for housing existing at the time of development, and to the Township's goal of encouraging neotraditional residential/mixed-use development in a manner consistent with the preservation or enhancement of property values within existing residential areas.
5. Insure that the increased flexibility and design specificity of regulations over land development authorized herein is carried out under such administrative standards and procedures as shall encourage the disposition of proposals for land development without undue delay.
6. Preserve the remaining rural, historic and agricultural character of the community by directing new development to appropriate locations and minimizing the visual impact of development upon the viewsheds from public roadways. Refer to Illustration 1.
7. Promote alternative land development practices, which will otherwise promote the public health, safety, and welfare. Neotraditional neighborhoods and developments, including new hamlets and villages, with well-designed and connected open spaces for community gathering and recreation are the desired alternative to conventional, modern use-segregated developments, such as large lot suburban subdivisions and strip commercial developments.
8. Reduce the excessive sprawl of development and the segregation of land uses that result in the inefficient use of irreplaceable natural energy sources due to the almost total dependence upon private vehicles for transportation. Refer to Illustrations 2 and 3.



Illustration 1 — Aerial view of a farm in Manheim Township with a positive VPS rating.



Illustration 2 — Commercial roadway in Manheim Township with a negative VPS rating.



Illustration 3 — Commercial development in Manheim Township with a negative VPS rating.



Illustration 4 — Commercial roadway in Manheim Township with a negative VPS rating.



Illustration 5 — Commercial development in Manheim Township with a negative VPS rating.

9. Reduce the excessive sprawl of development and the segregation of land uses that cause unnecessary traffic congestion. Discourage the development of drive-through facilities which encourage the use of private automobiles, which contributes to traffic congestion. Refer to Illustrations 4 and 5.
10. Discourage generic-type modern suburban development that bears no relation to the historic development pattern of Lancaster County. Refer to Illustrations 6 through 9.
11. Promote the creation of new neighborhoods and developments that exhibit the design features of traditional neighborhoods, hamlets, villages and small towns of Lancaster County. Refer to Illustrations 10 and 11.
12. Promote the creation of places which are oriented to pedestrians, thereby promoting citizen security and social interaction. Refer to Illustration 12.
13. Promote developments with a mix of residential dwelling types, a range of lot sizes, mixed-use structures with offices and/or apartments above ground level, retail uses surrounding a community green and related community facilities.
14. Promote developments with the desired visual and spatial characteristics expressed in highly positive responses in Manheim Township's Visual Preference Survey and to create a strong sense of community identity. Refer to Illustrations 10 through 14.



Illustration 6 — Residential street in Manheim Township with a negative VPS rating.



Illustration 7 — Single-family residences in Manheim Township with a negative VPS rating.



Illustration 8 — Single-family residential development in Manheim Township with a negative VPS rating.



Illustration 9 — Multifamily residential development in Manheim Township with a negative VPS rating.



Illustration 10 — Community green in the Village of Lititz, Pennsylvania, with a positive VPS rating.



Illustration 11 — Mix of dwelling unit types adjacent to church in the Village of Lititz with a positive VPS rating.



Illustration 12 — Semidetached dwelling with minimal front yard setback in the Village of Lititz with a positive VPS rating.



Illustration 13 — Existing mix of different uses in a residential-scale streetscape in the Village of Lititz with a positive VPS rating.



Illustration 14 — Closely spaced residences in the Village of Crosswicks, New Jersey, with a positive VPS rating.

15. Promote developments where the physical, visual and spatial characteristics are established and reinforced through the consistent use of compatible urban design and architectural design elements. Such elements shall relate the design characteristics of an individual structure or development to other existing and planned structures or developments in a harmonious manner, resulting in a coherent overall development pattern and streetscape.
16. Promote the creation of developments that are identifiable in the landscape, surrounded by open space and help preserve sensitive natural features.
17. Discourage commercial or industrial uses that create objectionable noise, glare or odors.
18. Address the design principles embodied in Article VII-A of the Pennsylvania Municipalities Planning Code pertaining to traditional neighborhood development.
19. Create new developments that are consistent with the goals of the Manheim Township Comprehensive Plan and the design standards illustrated in Appendixes A, B, C and D.

SECTION 1902. APPLICABILITY OF ARTICLE

The provisions of this article are a furtherance of the land use and development controls of land in the Township. This article shall not affect any of the provisions of the Subdivision and Land Development Ordinance, or this ordinance as they apply to the Township as a whole. After a development plan is duly filed, approved, and recorded under the provisions of this article, the land area included in the development plan shall be governed entirely by the provisions of this article, with the exception that provisions of the Subdivision and Land Development Ordinance, and this ordinance specifically referenced within this article shall also apply.

SECTION 1903. BASIS FOR CONSIDERATION

1. Consideration for approval or disapproval of a planned residential development shall be based on and interpreted in light of the effect of the development on the Comprehensive Plan of the Township, and Growing Together - A Comprehensive Plan for Central Lancaster County, and in light of the effect of the development on the use of the property adjacent to and in the areas close to the planned residential development.
2. This article shall not be construed to mean the developer of a planned residential development can by right merely meet the standards set herein. These standards and requirements are minimums only. The Board of Commissioners may require more stringent standards, based on the specific and unique nature of the site and the surrounding areas, in order to protect the health, safety, and welfare of the citizens of the Township. In cases where additional standards are necessary for a specific site, this and the Subdivision and Land Development Ordinance shall apply towards the site until the proposed development plan has been filed, approved, and recorded having met these additional standards.

SECTION 1904. ADMINISTRATION

The administration of the procedures concerning the application for and approval of a planned residential development shall be vested solely in the Board of Commissioners. However, all applications for conditional use, tentative, and final approval of plans for such developments shall be first referred to the Manheim Township Planning Commission for review and comment.

SECTION 1905. MODIFICATIONS

1. The Board of Commissioners may, by conditional use approval, permit the modification of the provisions of this article, including but not limited to provisions relating to the percentage of types of dwelling units, minimum yard dimensions and the amount of commercial development, in order to encourage planned residential development. A landowner desiring to obtain such conditional use approval shall, when making application for tentative approval as required by this article, also make application for conditional use approval of modifications under this section. The Board of Commissioners shall consider an application for modifications by conditional use as part of the application for tentative approval and after the approval of a conditional use for a planned residential development. However, the granting of a modification shall not have the effect of making null and void the intent and purpose of this article. Any conditional use to permit a modification of the requirements of this article shall be subject to the following standards:
 - A. The design and improvement of the planned residential development shall be consistent with the purpose and intent of this article.
 - B. The design and improvement of the planned residential development shall generally enhance the development plan or, in any case, not have an adverse impact on its physical, visual or spatial characteristics.
 - C. The design and improvement of the planned residential development shall generally enhance the streetscape and neighborhood or, in any case, not have an adverse impact on the streetscape and neighborhood.

- D. The modification shall not result in configurations of lots or street systems which shall be impractical or detract from the appearance of the proposed planned residential development.
 - E. The proposed modification shall not result in any danger to the public health, safety or welfare by making access to the dwellings by emergency vehicles more difficult, by depriving adjoining properties of adequate light and air or by violating the other purposes for which zoning ordinances are to be enacted under Section 604(1) of the Pennsylvania Municipalities Planning Code.
 - F. Landscaping and innovative site design shall be used to insure compliance with the design standards and guidelines of this article.
 - G. The minimum lot size of any lot to be created shall not be reduced below the requirements of this article.
 - H. The landowner shall demonstrate that the proposed modification will allow for equal or better results and represents the minimum modification necessary.
2. If the Board of Commissioners determines that the landowner has met his burden, it may grant a modification of the requirements of this article. In granting modifications, the Board of Commissioners may impose such conditions as will, in its judgment, secure the objectives and purposes of this article.

SECTION 1906. APPLICABILITY OF DEVELOPMENT STANDARDS AND GUIDELINES

1. The development standards and guidelines contained in this article are derived from the Visual Preference Survey and in Appendixes A, B, C, and D and shall be used by any applicant in preparing a development plan and by the Planning Commission and Board of Commissioners in reviewing the same. In the exercise of its powers of review, the Board of Commissioners may approve, deny, conditionally approve or request modifications to a development plan that is deemed to be inconsistent with the development standards and guidelines or the purposes of this article in accordance with the provisions of Section 1905 herein.
2. This article contains both development standards, which are normative and set forth specific requirements, and development guidelines, which define a framework and are only indicative. However, both standards and guidelines shall be interpreted with flexibility. The Planning Commission and the Board of Commissioners shall view such standards and guidelines as tools, since exceptional situations, requiring unique interpretations, can be expected. When applying such standards and guidelines, the Board of Commissioners shall carefully weigh the specific circumstances surrounding each application and strive for development solutions that best promote the spirit, intent and purposes of this article.
3. The development standards and guidelines contained in this article and in Appendixes A, B, C, and D shall be used as the Township's minimum requirements for evaluating planned residential developments. However, such standards and guidelines are not intended to restrict creativity, and an applicant may request a modification from any development standard or guideline. Modifications to the design guidelines and standards contained in this section shall be approved by the Board of Commissioners in accordance with Section 1905.

4. The development standards and guidelines contained in this article and Appendixes A, B, C, and D are both written and illustrated. Every effort has been taken to assure that illustration and text are complementary. However, in the event of inconsistencies between the two, the text shall be interpreted in conjunction with the overall intent and character established by all of the illustrations contained herein.

SECTION 1907. DEFINITIONS

Unless otherwise stated, the following words shall, for the purpose of this article, have the meanings herein indicated. Any word used in this article which is not defined herein and which is defined in Article V or in Article XVIII of this ordinance or the Subdivision and Land Development Ordinance, shall, for the purpose of this article, have the meaning defined therein.

BAY - A regularly repeated unit on a building elevation defined by columns, pilasters or other vertical elements or defined by a given number of windows or openings.

BELT COURSE (also **STRING COURSE**) - A projecting horizontal band on an exterior wall marking the separation between floors or levels.

BLANK WALL - An exterior building wall with no openings and generally constructed of a single material, uniform texture, and on a single plane.

BOULEVARD - A major road with a median and planting strip located in the center of the cartway.

BUILDING SCALE - The relationship between the mass of a building and its surroundings, including the width of streets, open space, and mass of surrounding buildings.

CARRIAGE HOUSE - A single dwelling unit located on the second floor above a detached garage and having a maximum area of one thousand (1,000) square feet.

COLUMN - A vertical pillar or shaft, usually structural.

COMMON OPEN SPACE - A parcel or parcels of land or an area of water, or a combination of land and water, including floodplain and wetland areas, within a development site and designed and intended for the use and enjoyment of residents of the development and, where designated, the community at large. The area of parking facilities serving the activities in the common open space may be included in the required area computations. "Common open space" shall not include:

- A. The land area of lots allocated for single-family detached dwellings, single-family semidetached dwellings and duplex dwellings, including front yards, side yards and rear yards, whether or not the dwellings are sold or rented.
- B. The land area of lots allocated for apartment and townhouse dwelling construction, including front yards, side yards, rear yards, interior yards and off-street parking facilities, whether or not the dwellings are sold or rented.
- C. The land area of lots allocated for total commercial use, including front yards, side yards, rear yards and parking facilities, whether or not the commercial facilities are sold or rented.

- D. The land area of lots allocated for public and semipublic uses, community clubs and community facilities, including open space for playgrounds and athletic fields which are a part of the principal use; and front yards, side yards, rear yards, and other open space around the buildings; and parking facilities, whether or not the facilities are sold or rented.
- E. Street rights-of-way, driveways, off-street parking and service areas, except the landscaped central median of boulevards.

CONTEXT - The character of the buildings, streetscape, and neighborhood which surround a given building or site.

CORNICE - The top part of an entablature, usually molded and projecting.

COURT, PARKING - A surface parking area with a maximum of two aisles of parking, located perpendicular to the street and defined by buildings on at least two sides.

COURTYARD - An open space that is defined by buildings on a minimum of two sides.

CUPOLA - A small roof tower, usually rising from the roof ridge.

CURTAIN WALL - A light, nonstructural outer wall of a building, in the form of a metal grid with infill panels of glass and other materials.

DIRECTIONAL EMPHASIS - The combination of building height and width, together with the placement of fenestration, structural elements and architectural details that may convey a predominantly horizontal or a predominantly vertical directional emphasis to a building's facade.

ELEVATION - The exterior facade of a structure, or its head-on view or representation.

ENVIRONMENTAL CONSTRAINTS - Features, natural resources, or land characteristics, such as but not limited to wetlands, floodplains, riparian buffers or steep slopes, that are sensitive to improvements and may require conservation measures or the application of creative development techniques to prevent degradation of the environment or may require limited development or, in certain instances, may preclude development.

FASCIA - A projecting flat horizontal member or molding; also part of a classical entablature.

FENESTRATION - Window and other openings on a building facade.

FOCAL POINT - See "visual termination."

GABLE - The part of the end wall of a building between the eaves and a pitched or gambrel roof.

GATEWAY - A principal point of entrance into a district or neighborhood.

GATEWAY BUILDING - A building located at a gateway and which dramatically marks this entrance or transition through massing, extended height, use of arches or colonnades or other distinguishing features.

HUMAN SCALE - The relationship between the dimensions of a building, structure, street, open space, or streetscape element and the average dimensions of the human body.

INTERNAL OPEN SPACE - A component of the common open space network, comprising one or more parcels with a minimum area of 500 square feet, of a distinct geometric shape and designed as plazas, greens or squares, mini parks/play areas or neighborhood parks in accordance with this section and Appendix A.

LINKAGE - A line of communication, such as a pathway, arcade, bridge, lane, etc., linking two areas or neighborhoods which are either distinct or separated by a physical feature (i.e., a railroad line) or a natural feature (i.e., a river).

LINTEL - A horizontal beam over an opening in a masonry wall, either structural or decorative.

MASONRY - Wall building material, such as brick or stone, which is laid up in small units.

MASSING - The three-dimensional bulk of a structure: height, width and depth.

MODIFIED STREET PATTERN - An interconnected system of streets which is primarily rectilinear in pattern, however, modified in street layout and block shape as to avoid a monotonous repetition of the basic street/block grid pattern.

OPEN SPACE, INTERNAL - See "internal open space."

PILASTER - A column partially embedded in a wall, usually nonstructural.

PITCH - The angle of slope of a roof.

PLANTING STRIP - A landscape strip located within the public right-of-way.

PORTICO - An open-sided structure attached to a building sheltering an entrance or serving as a semi-enclosed space.

PRINCIPAL ENTRANCE - The entrance located at the intersection between the highest classification of an internal PRD roadway, typically a boulevard, with the highest classification of street in the existing street network; in the case of multiple entrances off of a single roadway, the entrance where the majority of traffic is expected and planned to enter. A development may only have one principal entrance.

PROPORTION - The relationship or ratio between two dimensions, i.e., width of street to height of building wall or width to height of window.

PUBLIC AND SEMIPUBLIC USE - Municipal uses, houses of worship, and public, private, or parochial elementary schools, community clubs, community facilities and any playgrounds, athletic fields, or other open space areas associated with any of the preceding uses.

PUBLIC VIEWSHED - That which is reasonably visible, under average conditions, to the average observer located on any public land or right-of-way, or on any semipublic or private space which is normally accessible to the general public.

QUOINS - Corner treatment for exterior walls, either in masonry or frame buildings.

RHYTHM - The effect obtained through repetition of architectural elements, such as building height, rooflines, or side yard setbacks; of streetscape elements, such as decorative lampposts; or of natural elements, such as street trees.

RHYTHM OF SOLIDS TO VOIDS - The relationship between the solid portions of a building facade and the voids formed by doors, windows, other openings and recesses; may also refer to the relationship between building mass (solids) and side yard setbacks (voids) along a street.

SEMIPUBLIC RECREATION AREA - See "recreation area."

SIGNABLE AREA - The area or areas on a commercial building facade where signs may be placed without disrupting or obscuring the facade composition. The signable area will often include panels at the top of show windows, transoms over storefront doors and windows, signboards on fascias, and areas between the top of the storefront and the sills of second-story windows.

SIGNBOARD - The area or display surface used for the message, measured using conventional geometric shapes.

SIGN, ICON - A sign that illustrates by its shape the nature of the business conducted within.

SIGN, SANDWICH BOARD - A sidewalk sign, usually handwritten, for purposes of promoting daily specials at restaurants and cafes.

SPECIMEN TREE - A noninvasive tree in good health and a minimum of 30 inches in diameter at breast height that is specifically worthy of conservation because of species, size, shape, form, location, age, historical importance or other significant characteristic.

STREET FURNITURE - Functional elements of the streetscape, including but not limited to benches, trash receptacles, planters, kiosks, sign posts, streetlights, bike racks, bollards and removable enclosures.

STRING COURSE - See "belt course."

TEXTURE - The exterior finish of a surface, ranging from smooth to coarse.

VIEWSHED - See "public viewshed."

VISUALLY IMPERVIOUS - A buffering or screening device which partially or totally blocks the view to or from adjacent sites by a discernible factor ranging up to 100%.

VISUAL PREFERENCE SURVEY (VPS) - A process by which a community participates in evaluating its existing environment and in developing a common vision for its future.

VISUAL TERMINATION - A point terminating a vista or view, often at the end of a straight street or coinciding with a bend.

SECTION 1908. PERMITTED PRINCIPAL USES

The following uses are permitted in a planned residential development, subject to all the applicable development standards and requirements:

1. The following residential uses:
 - A. Single-family detached dwellings.
 - B. Zero lot line single-family detached dwellings.
 - C. Single-family semidetached dwellings.

- D. Duplex dwellings.
 - E. Townhouse dwellings.
 - F. Apartment dwellings in the R-3 Residential District only.
 - G. Carriage house dwellings.
 - H. Accessory dwelling units.
2. The following public and semipublic uses:
- A. Municipal uses and public parks and recreation: public structures typically constructed as part of this type of facility.
 - B. Community facilities.
 - C. Schools, elementary.
 - D. Houses of worship.
 - E. Community clubs.
3. The following nonresidential uses:
- A. Banks and other financial institutions, including drive-through banking facilities, provided such are located at the rear of a site.
 - B. Offices, professional and medical/dental.
 - C. Retail sales of goods and services.
 - D. Restaurants without drive-through facilities.
 - E. Neighborhood motor vehicle service station or garage.
 - F. Convenience stores, including those offering gas for sale, so long as there is a maximum of four fuel pumps with a capacity for serving a total of eight vehicles at one time.
 - G. Hotels, full-service and limited-service.
 - H. Day-care centers.
 - I. Bed-and-breakfast establishments. Such uses shall comply with the requirements of Section 2505.
 - J. Farmers Market. Such uses shall comply with the requirements of Section 2113.
4. Golf courses.
5. Agricultural uses, except agribusiness structures.

SECTION 1909. PERMITTED ACCESSORY USES

The following uses are permitted in a planned residential development, subject to all of the applicable development standards and requirements:

1. All residential accessory uses, including home occupations, shall comply with Article XXI, Accessory Uses, of this ordinance, except as modified in this article.
2. Cemeteries as an accessory use to houses of worship.
3. Community maintenance facilities.
4. Accessory uses, buildings or structures for nonresidential uses as approved by the Board of Commissioners.

SECTION 1910. MINIMUM AREA

A minimum of five (5) contiguous gross acres of land shall be required to qualify for consideration as a planned residential development. A minimum of 20 contiguous gross acres of land shall be required-to be considered for a commercial component. Where the minimum acreage is met in an underlying District where a Planned Residential District is permitted by conditional use, and such acreage adjoins land in the B-1, B-2 or B-3 Districts, the parcels in the adjoining district may be incorporated into the Planned Residential District development tract, so long as the parcels in the B-1, B-2 or B-3 Districts comprise a maximum of ten percent (10) of the total combined gross tract acreage.

SECTION 1911. UTILITY SERVICES

Public sewer and public water service shall be installed and maintained.

SECTION 1912. COMMON OPEN SPACE

1. Not less than thirty (30) percent of the gross area of the planned residential development shall be allocated to and shall remain in common open space in perpetuity. Refer to Illustration 15. Common open space shall be deed restricted to prohibit future subdivision or development. Common open space shall be used for social, recreational and/or natural resource protection purposes. The uses authorized must be appropriate to the character of the common open space, including its topography, size and vegetation, as well as to the character of the development, including its size and density, the characteristics of the expected population, and the number and type of dwellings to be provided.
2. Uses permitted in common open space include:
 - A. A maximum of 25% of the common open space land may contain detention basins or other stormwater management facilities.
 - B. Passive recreation areas.

- C. Light agriculture, excluding agribusiness, agritourism, farm occupations, feedlots, commercial livestock operations, and the like, but including orchards, community gardening, and the like, subject to an ownership mechanism, procedures and limitations between the parties concerned and subject to agricultural use standards. See Subsection G, Perimeter buffer.
 - D. Natural resource and conservation areas, including but not limited to steep slopes, floodplains, woodland, meadow, wetlands, and streams.
 - E. Cultural resources, including not more than one principal building and outbuilding.
 - F. Buffer areas.
 - G. Cemeteries, as an accessory use to a House of Worship
 - H. Common open space areas may be used for golf courses, nonmotorized paths and active recreation purposes with the approval of the Board of Commissioners. Recreational facilities shall be required to serve the anticipated needs of the residents of the development, taking into account the anticipated characteristics and demographic profile of the development's population, the recreational facilities available in neighboring developments, and the relevant provisions regarding recreational facilities contained in the Comprehensive Plan.
 - I. Accessory uses and structures, including benches, gazebos and pavilions, so long as such structures are located outside of natural resource and conservation areas.
3. Common open space shall be provided in the form of internal open space, greenways, and perimeter buffers. Internal open space shall be designed to provide a variety of outdoor experiences and amenities, such as pocket parks, plazas, greens/squares, mini park/play areas, or neighborhood parks. There shall be at least one (1) internal open space type located within fifteen hundred (1,500) feet of ninety (90) percent of all dwellings within a new neighborhood, determined by a fifteen-hundred-foot radius from the outermost boundary of such open space.
 4. Internal open spaces shall contain a minimum area of five hundred (500) square feet and shall generally be of a distinct geometric shape (generally rectilinear or square). Refer to Illustration 16 and Appendixes A, B and C. Internal open spaces shall be spatially enclosed on at least two sides by the buildings that front on the area or front upon the streets bounding the area. The internal open spaces shall be landscaped such that a minimum of seventy-five (75) percent of the area is covered with trees, shrubs, lawn and/or ground cover, where a minimum of fifty (50) percent of all vegetation is native species. Invasive species as defined by the PA DCNR shall not be permitted. The type of trees and shrubs shall be such that vistas through the internal open space are largely unobstructed. Internal open spaces shall be landscaped using elements such as formal gardens, walkways, monuments, statues, gazebos, fountains, park benches and pedestrian-scale lampposts. A minimum of fifty (50) percent of internal open spaces shall be designed as active gathering places for residents of the development in both day and evening and shall include places for strolling, sitting, social interaction and informal recreation. The central medians of boulevard streets shall not be included in the required internal open space computations.

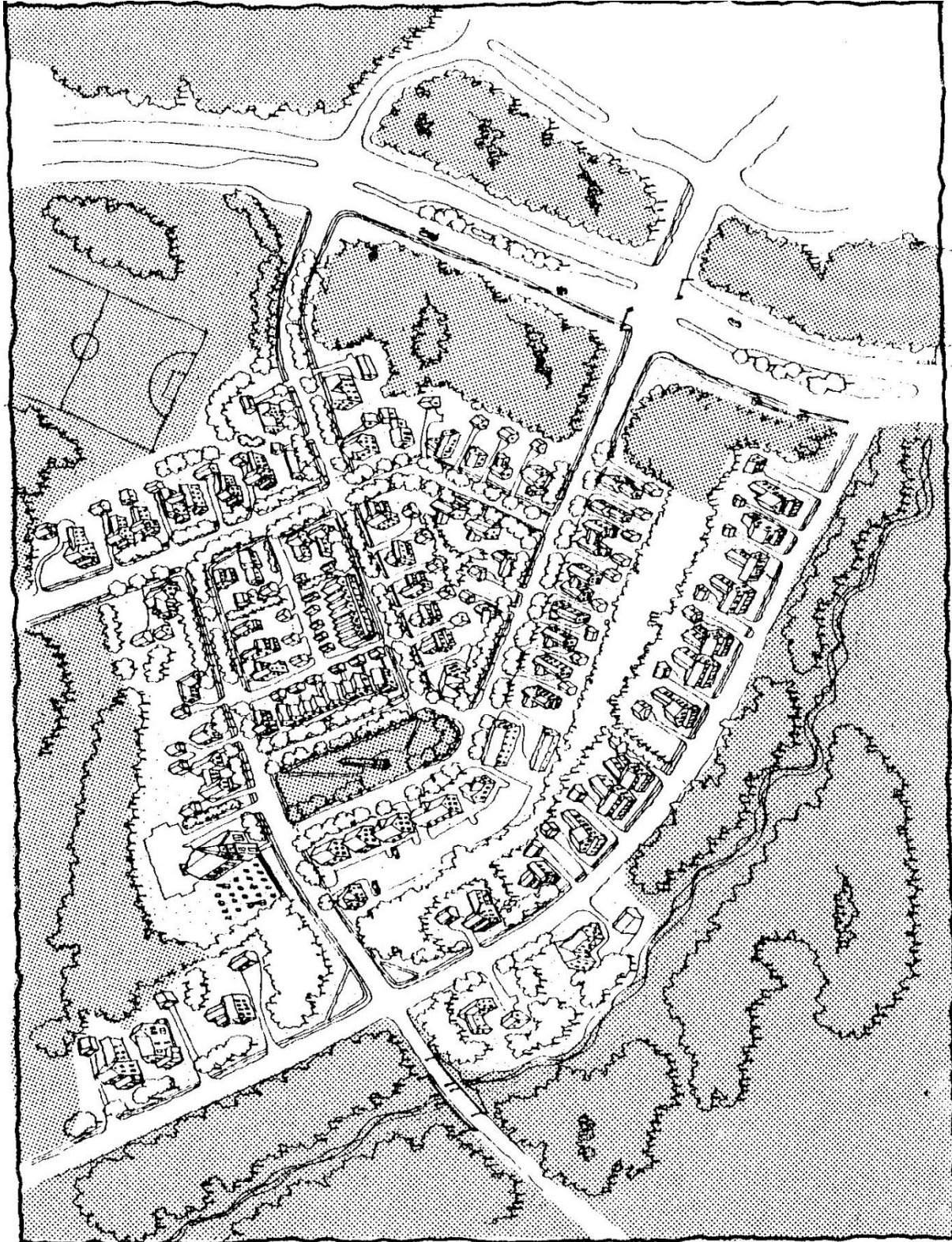


Illustration 15 — Neighborhood development focused on central internal open space (community green) and surrounded by a perimeter buffer.

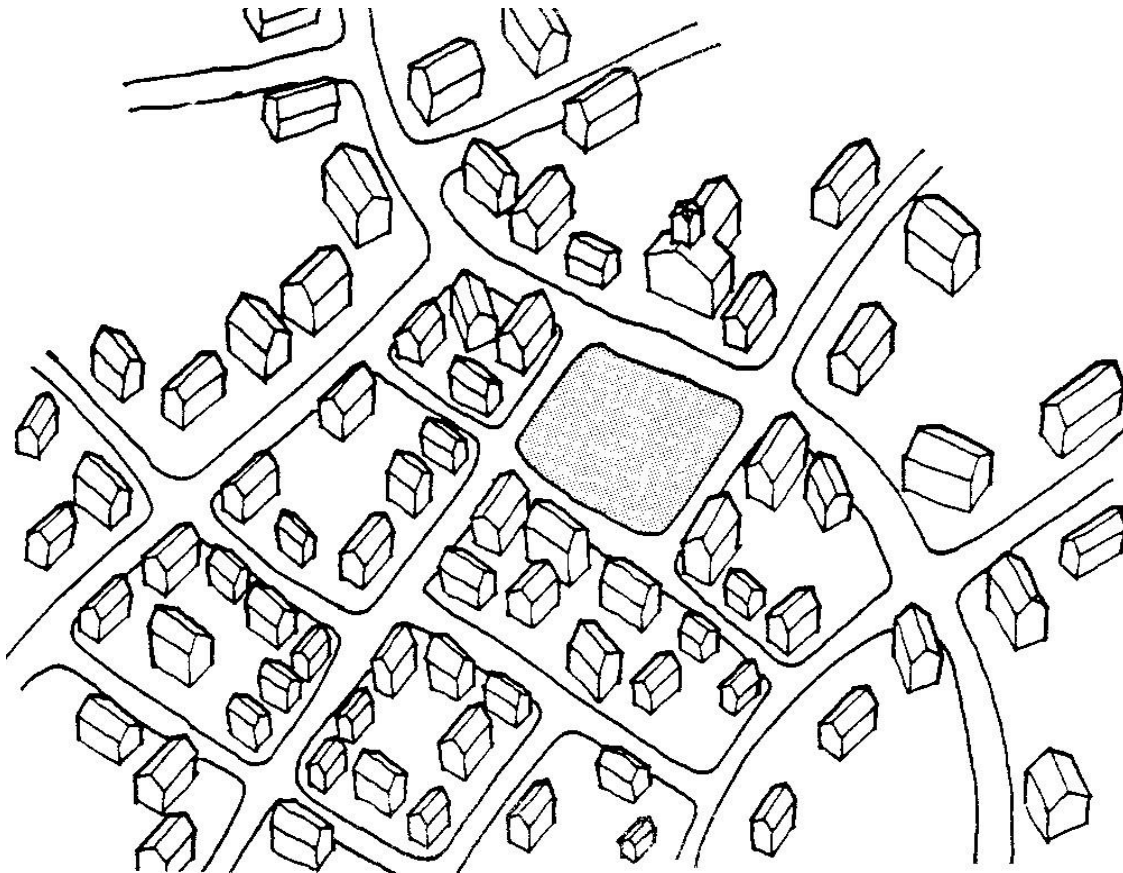


Illustration 16 — Internal open space.

5. Each development shall be designed to have one primary internal open space, which shall be considered as part of the thirty (30) percent common open space requirement and shall be referred to as the "community green." Refer to Illustration 17. The community green shall have a minimum area of 10,000 square feet, and the size, shape and design of the community green shall provide adequate space for concerts, outdoor exhibits and community gatherings, based on the number of residents expected in the development. Public rest rooms shall be considered in each community green. The community green shall be surrounded by development which may include commercial, residential and public and civic uses, community clubs and community facilities. If the development includes a Main Street commercial area, the community green shall either front upon Main Street, Main Street shall terminate at the community green, or Main Street and the community green shall otherwise be incorporated into a combined community focus for the development. Nothing herein shall preclude a large tract from containing two separate developments with two separate community greens.
6. For tracts of twenty (20) acres or larger, active recreation shall be provided within the required common open space at a rate of five (5) percent of the total required open space or one acre, whichever is greater, with the approval of the Board of Commissioners.

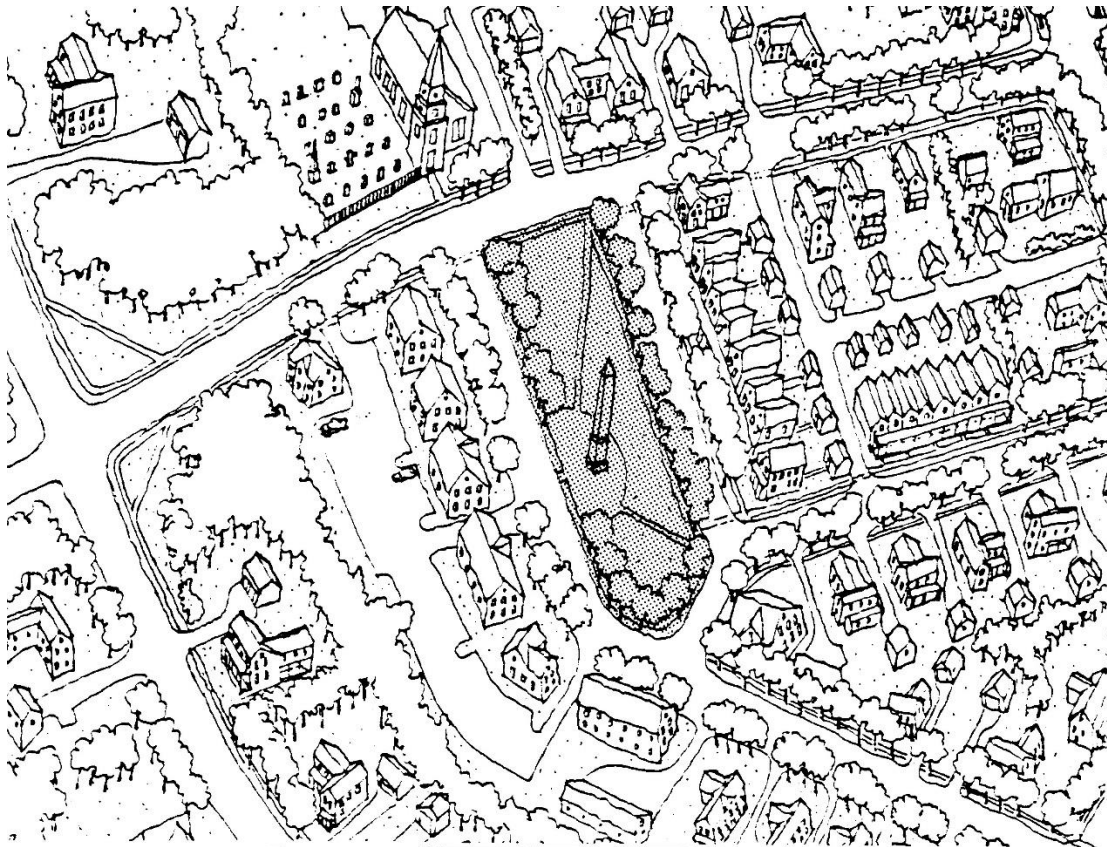


Illustration 17 — Community green surrounded by neighborhood development.

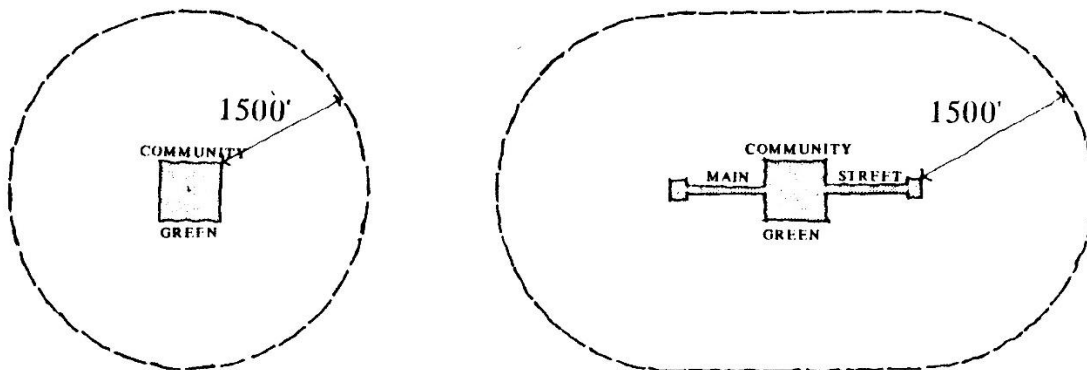


Illustration 18 — Diagrams of a fifteen-hundred-foot radius from the outermost boundary of the community green and a fifteen-hundred-foot radius from the outermost boundary of a community green combined with a Main Street commercial area.

7. Perimeter buffer. A perimeter buffer shall be required along the outer boundaries of the Planned Residential Development development tract, but not between adjacent parcels within the development if certain conditions exist on the adjacent tracts, as specified below:

- (a) A perimeter buffer of a minimum of 30 feet in width shall be provided where the tract abuts any roadway listed in Section 2213 of this ordinance. However, the minimum width contained in this Article XIX shall supersede that listed in Section 2213. Refer to Illustration 19.



Illustration 19 — Perimeter buffer abutting a roadway in Manheim Township with a positive VPS rating.

- (b) A perimeter buffer of a minimum of thirty (30) feet in width shall be provided where the tract abuts an existing tract of agricultural zoned land or where nonresidential/mixed uses within the Planned Residential Development abut existing residential uses.
- (c) A perimeter buffer may be used for agricultural purposes, including wood lots, with the approval of the Board of Commissioners. Perimeter buffers used for agricultural purposes shall be a minimum of three hundred (300) feet in width from the boundary of the developed area to the property line of the tract and shall provide for appropriate buffering adjacent to the developed area of the property. Refer to Illustration 20.
- (d) A perimeter buffer with a minimum width of 20 feet shall be required where residential uses in the Planned Residential Development abut existing residential uses on the adjacent tracts.

- (e) A perimeter buffer with a minimum width of six feet shall be required between commercial uses on adjacent lots, except where cross-access easements between shared parking exist or are approved as part of the Planned Residential District plan.
- (f) Unless the perimeter buffer abutting any roadway listed in Section 2213 of this ordinance contains existing mature trees and vegetation, such areas shall be planted with a mixture of predominantly native species trees at a minimum rate of one tree for every forty (40) feet.



Illustration 20 — Perimeter buffer used for agricultural purposes in Manheim Township with a positive VPS rating.

- 8. Common open space, particularly perimeter buffers, containing existing attractive or unique natural features, such as streams, creeks, ponds, woodlands, specimen trees and other areas of mature vegetation worthy of preservation, may be left unimproved and in a natural state as part of a greenway. As a general principle, the preservation of undeveloped open space in its natural state or as existing farms is encouraged. A developer may make certain improvements such as the provision of picnic areas. The developer is encouraged to make improvements to accommodate a nonmotorized path or paths for walking/jogging or biking. In addition, the Board of Commissioners may require a developer to make other improvements such as removal of dead or diseased trees, thinning of trees or other vegetation to encourage more desirable growth, grading and seeding. Common open space shall include all environmentally sensitive areas, including areas with slopes greater than twenty (20)

percent, one-hundred-year floodplains, wetlands, areas of seasonally high water, riparian buffers, and other such critical areas as may be determined by the Board of Commissioners. Existing man-made features, such as farmsteads and stone walls, may be preserved through incorporation in common open space.

9. Nonmotorized paths. The establishment of nonmotorized paths are integral to the overall pedestrian connectivity in the Township. The Commissioners may require, as a condition of final plan approval, the dedication and/or improvement of nonmotorized paths. The standards for nonmotorized paths are set forth in the Subdivision and Land Development Ordinance.
10. The buildings, structures, and improvements permitted in the common open space shall be appropriate to the authorized uses and shall conserve and enhance the amenities of the common open space with regard to its topography and unimproved condition.
11. The construction schedule of the development shall coordinate the improvement of the common open space with the construction of residential dwellings. At no time in the development of various phases of the planned residential development may the total area of common open space in the phases developed be less than thirty (30) of the gross area of the developed lands, unless additional areas to produce the required percentage are permanently reserved as common open space on the remaining land of the total development. The location or size of this reserved common open space on remaining land may be altered or changed upon the approval and recording of the development plan of an additional phase of development.
12. Ownership, administration and maintenance of common open space shall be in accordance with Section 2216.

SECTION 1913. BLOCKS AND LOTS

1. The block layout shall be designed to create blocks that are generally rectilinear in shape, a modified rectilinear shape or another distinct geometric shape. Amorphously shaped blocks are generally discouraged, except where topographic or other conditions necessitate such a configuration. To the greatest extent possible, blocks shall be designed to have a maximum length of 800 feet. Alleys shall be permitted to bisect blocks. Refer to Illustration 21.

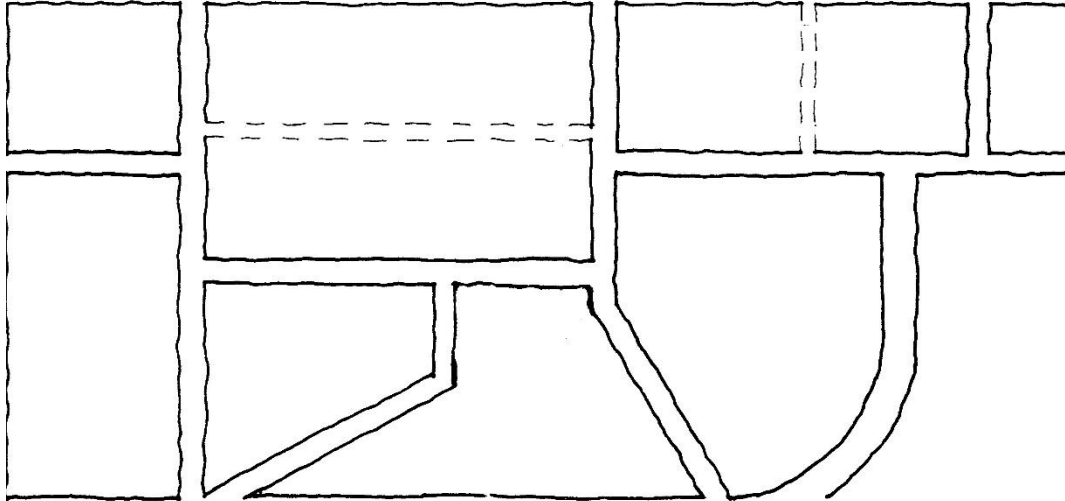


Illustration 21 — Diagram of streets defining geometrically shaped blocks, including some blocks bisected by alleys.

2. For buildings fronting a roadway, a build-to line shall establish the relationship of the primary facades to the edge of the sidewalk closest to the roadway. A build-to line shall be established for each block, courtyard, or street and shall fall between ten (10) feet and twenty-five (25) feet. A minimum of ninety (90) percent of all buildings on that block/courtyard or street shall conform to the build-to line, with the remaining ten (10) percent allowed to vary by being offset from the build-to line a maximum of two (2) feet in either direction. At least sixty (60) percent of an individual building facade shall be located along the build-to line. The remaining forty (40) is permitted to vary from the build-to line in order to provide for visual diversity and architectural enhancement in the form of recesses, projections, open space, or landscaping area.
3. For buildings in a courtyard configuration, the build-to line shall be measured from either side of the sidewalk(s) defining the pedestrian circulation.
4. For carriage houses located along an alley, the build-to line shall be coincident with the edge of pavement.
5. Lot areas and lot widths shall vary in order to eliminate the appearance of a standardized subdivision and encourage a mix of dwelling types.
6. Where a nonresidential component is proposed, a minimum of ten (10) percent of the blocks in a planned residential development shall have a mix of at least two (2) types of dwelling units on a street face.

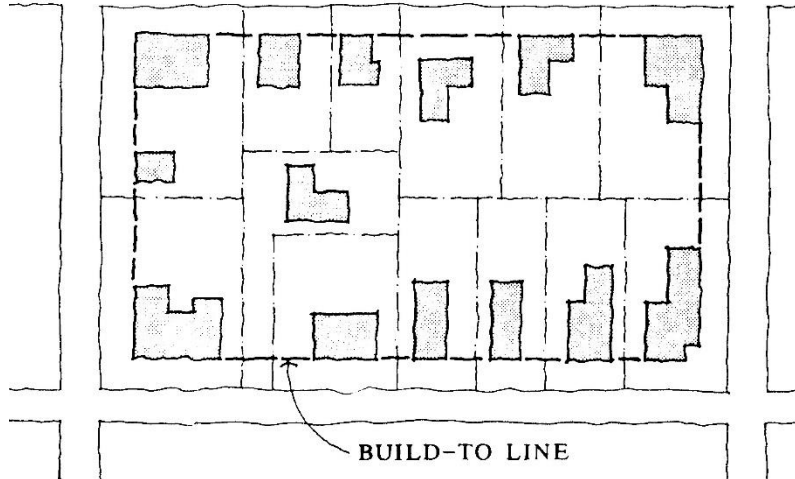


Illustration 22 — Diagram of varied lot sizes, including a flag lot, with front yard setbacks generally conforming to a build-to line.

SECTION 1914. STREETS

1. The street layout shall be a modified rectilinear street pattern adapted to the topography, unique natural features and environmental constraints of the tract. The street layout shall take into consideration the location of the community focus, common open space areas, gateways and vistas. Refer to Illustration 23. A minimum of two (2) interconnections with the existing public street system shall be provided for Planned Residential Developments with fifty (50) acres of gross tract area. An additional connection shall be provided for each additional fifty (50) acres. Linkages to adjacent developments and neighborhoods with nonmotorized paths and sidewalks are recommended where possible.

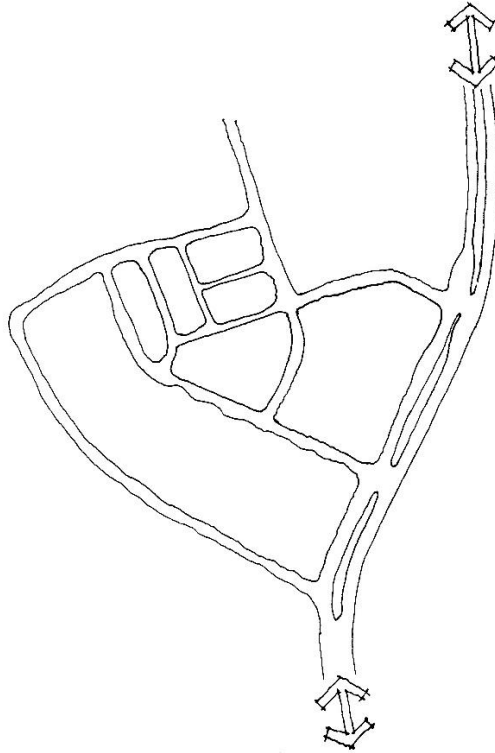


Illustration 23 — Diagram of a modified grid street pattern with two interconnections with the surrounding public street system.

2. The street layout shall form an interconnected system of streets, courts and alleys, modified to avoid a monotonous repetition of the basic street/block pattern. To the greatest extent possible, streets shall be designed to have a maximum length of eight hundred (800) feet, from intersection to intersection, and, to the greatest extent possible, shall either continue through an intersection or terminate in a "T" intersection directly opposite the center of a nonresidential building, an internal open space area, or a view into a perimeter buffer. Refer to Illustration 24.

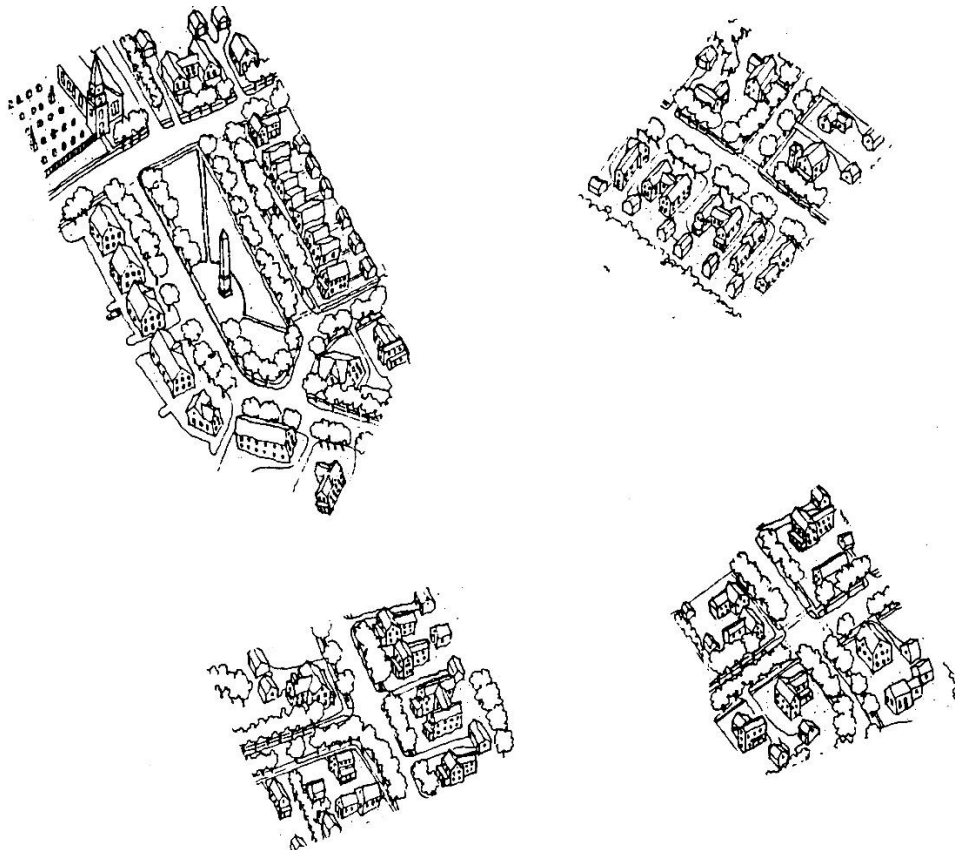


Illustration 24 — Diagrams of various modified rectilinear street and intersection configurations which can be interconnected and combined in a variety of ways.

3. The street layout shall incorporate a hierarchy of street types. The boulevard is typically used to provide access from the existing public road network and may serve as the primary commercial and mixed-use street within the development. The Main Street road type shall be used for the primary commercial and mixed-use street within the development. The residential street, Type A, is a collector street, while the residential street, Type B, is a local street; a combination of these residential street types shall be used for the residential streets. Alleys may be used to provide service access; they shall be treated as private streets, and any lot having access from an alley shall additionally front upon one of the other types of streets. All streets shall generally conform to one of the following street categories. Refer to Illustration 25.

Hierarchy of Street Types

1. Major roads, Type A
2. Boulevard
3. Main Street
4. Residential street, Type A
5. Residential street, Type B
6. Alley

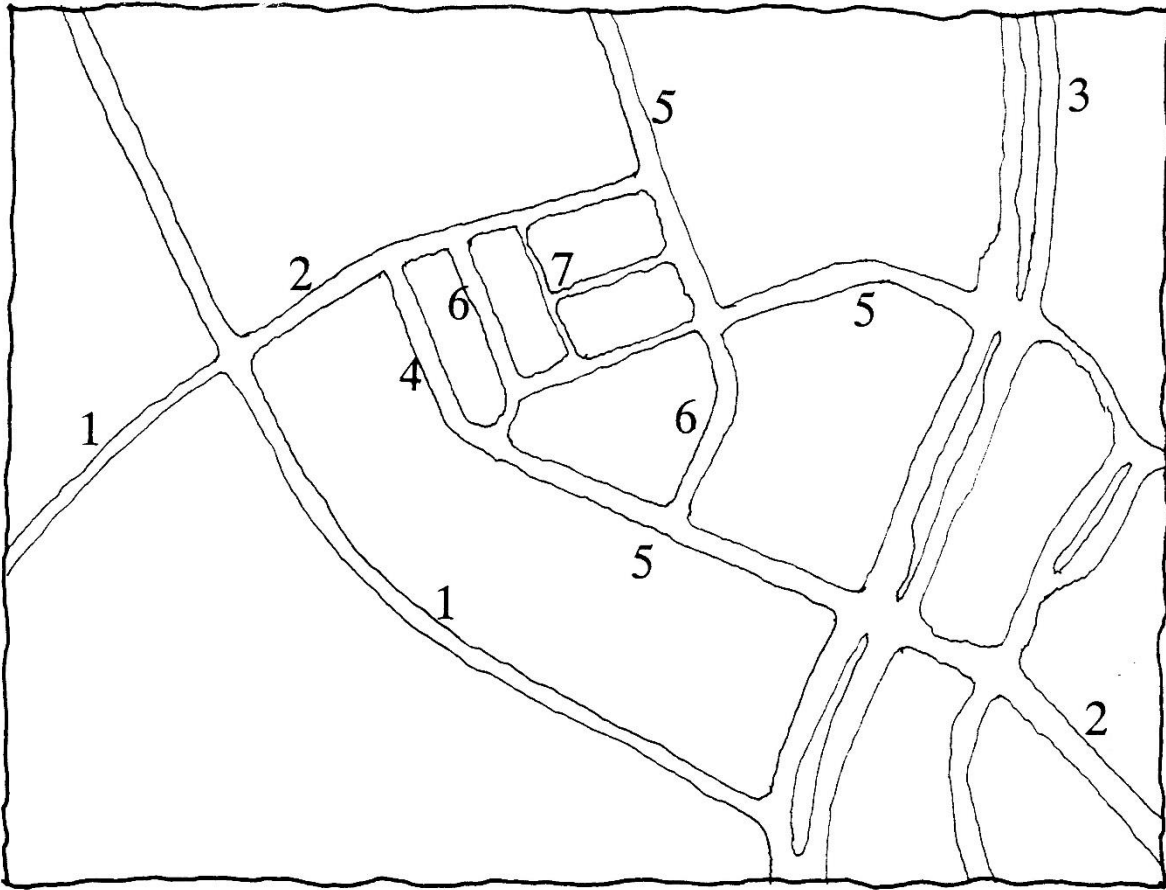


Illustration 25 — Diagram of the hierarchy of street types with the streets numerically keyed to the list above.

4. Street types shall be in accordance with Table 19-1 and Illustrations 27 through 31.
 - A. Major road, Type A. Refer to Illustration 27.

Township of Manheim

Table 19-1: Minimum Requirements by Street Type

KEY:

R = Required

P = Permitted

N = Not permitted

Street Type	Street Width Section (feet)	Paved Width (feet)	Sidewalk/ Nonmotorized Path (1)	On-Street Parking	Curbing	Maximum Design Speed	Street Trees (2)	Streetlighting	Illustration No.
Major road A	62-90	34 (with on-street parking)	Both sides	Both sides	R	35	Both sides	R	27
Boulevard	70-98	28 (without on-street parking)	Both sides	NP	R	35	Both sides, plus center median	R	28
Main Street	74	36	Both sides	R-both sides	R	25	Both sides	R	29
Residential street A	62	34	Both sides	P – both sides	R	25	Both sides	R	30
Residential street B	56	28	Both sides	P – one side	R	25	Both sides	R	31
Alley	Easement 20	One-way: 10 Two-way: 18	N	N	(8)	10	N	N	32

NOTES:

- (1) Sidewalks and nonmotorized paths shall be provided in accordance with Section 1918.
- (2) Street trees shall be provided in accordance with Section 1926.
- (3) Streetlights shall be provided in accordance with Section 1927.

Boulevard: A minimum of one row of street trees shall be located along both sides of this roadway, one row shall be located in the planting strip between the curb and sidewalk/nonmotorized path. Where a second row is provided, it shall line the outer edge of the sidewalk/nonmotorized path.

A sidewalk with a minimum of five feet in width or a nonmotorized path with a minimum width of 10 feet shall be located on each side of a boulevard, except that, where adjacent to commercial uses, the sidewalk shall be a minimum of 10 feet in width and a maximum of 15 feet.

Boulevard: A planting strip shall be provided in the center median and on both sides of the street between the curb and sidewalk/nonmotorized path. The planting strip on both sides shall be a minimum of five feet in width, except that, in commercial areas, brick pavers may be substituted for the planting strip. The median shall be planted with a combination of flowers, shrubs, and ornamental or street trees planted at intervals appropriate to the species, and other plantings with the goal being plantings that provide interest, variety, and modest visibility through the median. Trees shall be planted a minimum of 2 1/2 feet from the curb.

Main Street: Planting strips shall be provided along both sides with a minimum width of eight feet. Along commercial uses, brick pavers may be substituted for the planting strip. However, street trees shall be required.

Alleys:

- (a) An alley shall be a private street and shall not be dedicated to the Township. The property homeowners' association of the planned residential development shall maintain such private streets or easements.
- (b) Parking along an alley shall be provided on driveways built a minimum of eight feet deep to allow for vehicles to park parallel to the alley or a minimum of 20 feet deep to permit vehicles to park perpendicular to the alley or in designated parking areas.
- (c) Curbing shall not be required except at corners of intersections with other street types. At such corner locations, straight curbing shall be required for the entire corner radius and five feet preceding same. Such curbing shall not extend more than six inches above the finished pavement.
- (d) Alley lighting shall be provided on all garages or on poles adjacent to parking areas. Lighting fixtures and poles shall be of consistent architectural style and shall complement the predominant architectural theme.

Handicap ramps shall be provided in accordance with the ADA regulations.

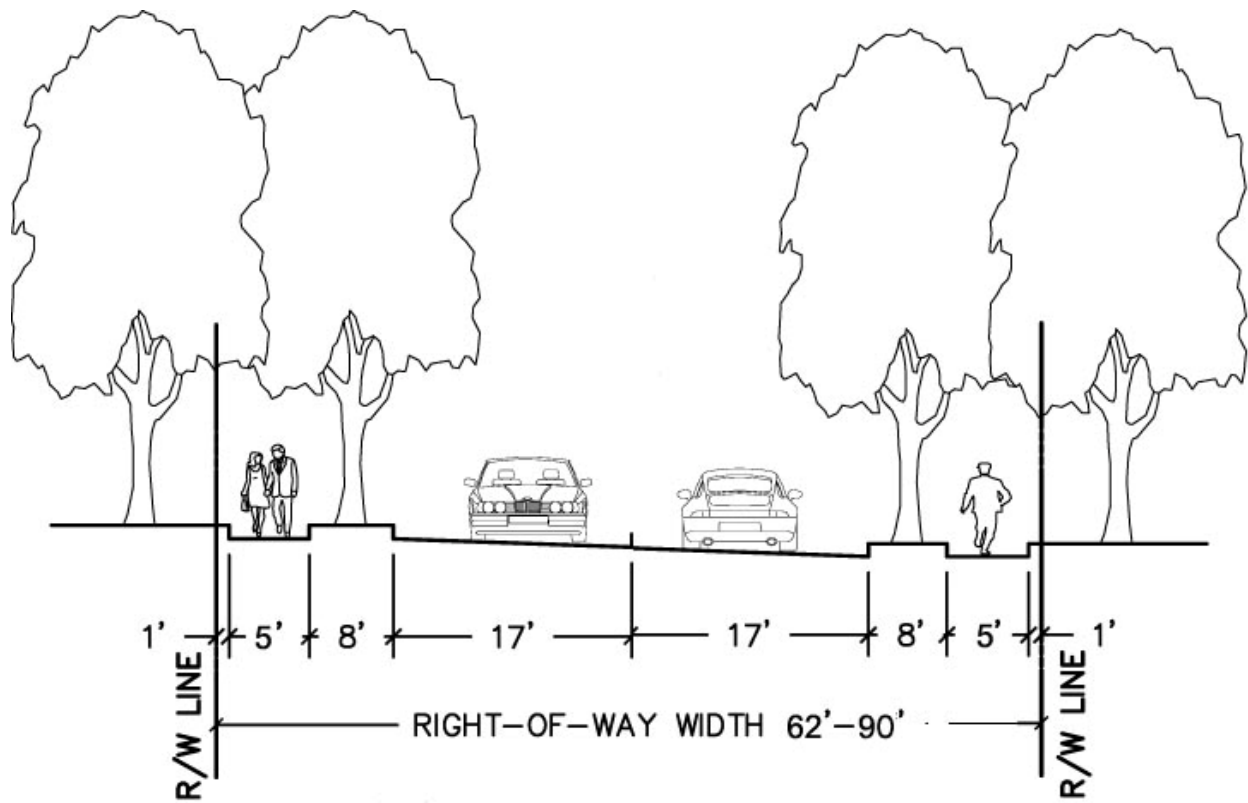


Illustration 27 — Street section for major road, Type A.

B. Boulevard. Refer to Illustration 28.

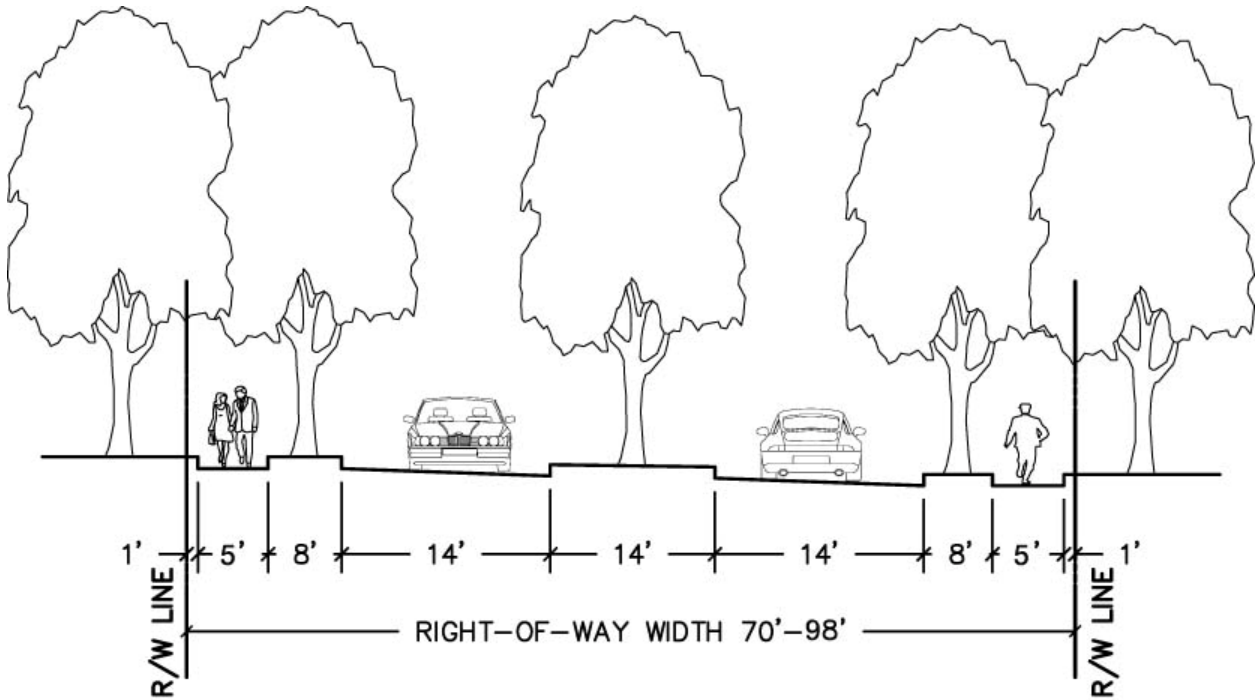


Illustration 28 — Street section for boulevard.

C. Main Street. Refer to Illustration 29.

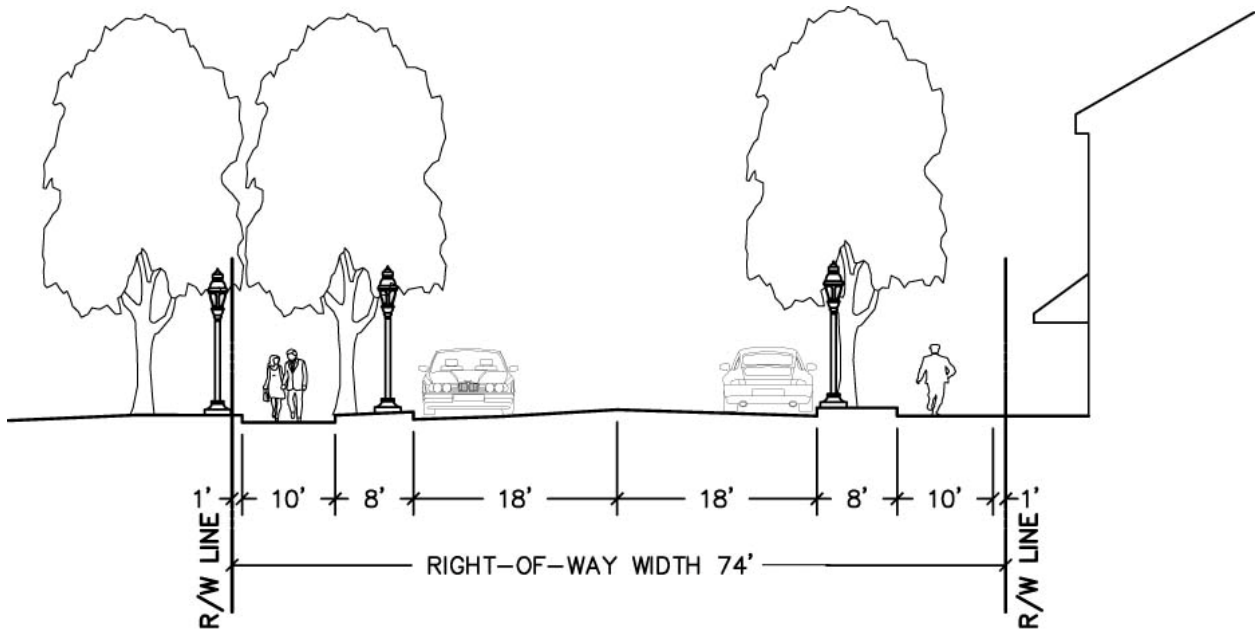


Illustration 29 — Street section for Main Street.

D. Residential street, Type A. Refer to Illustration 30.

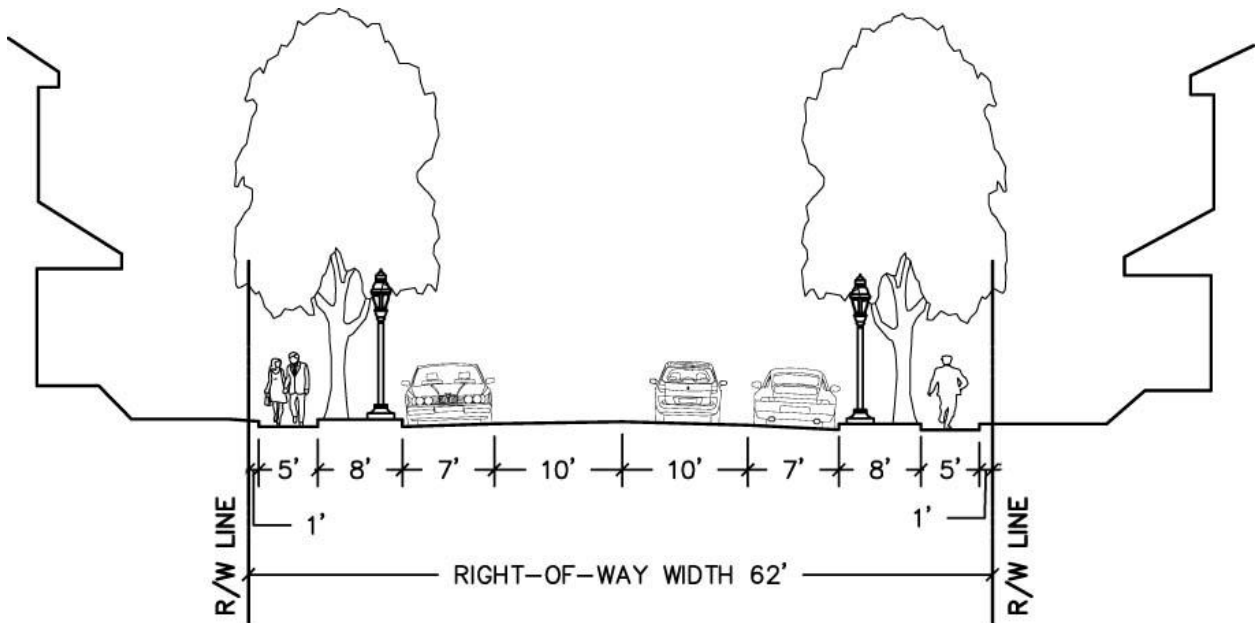


Illustration 30 — Street section for residential street, Type A.

E. Residential street, Type B. Refer to Illustration 31.

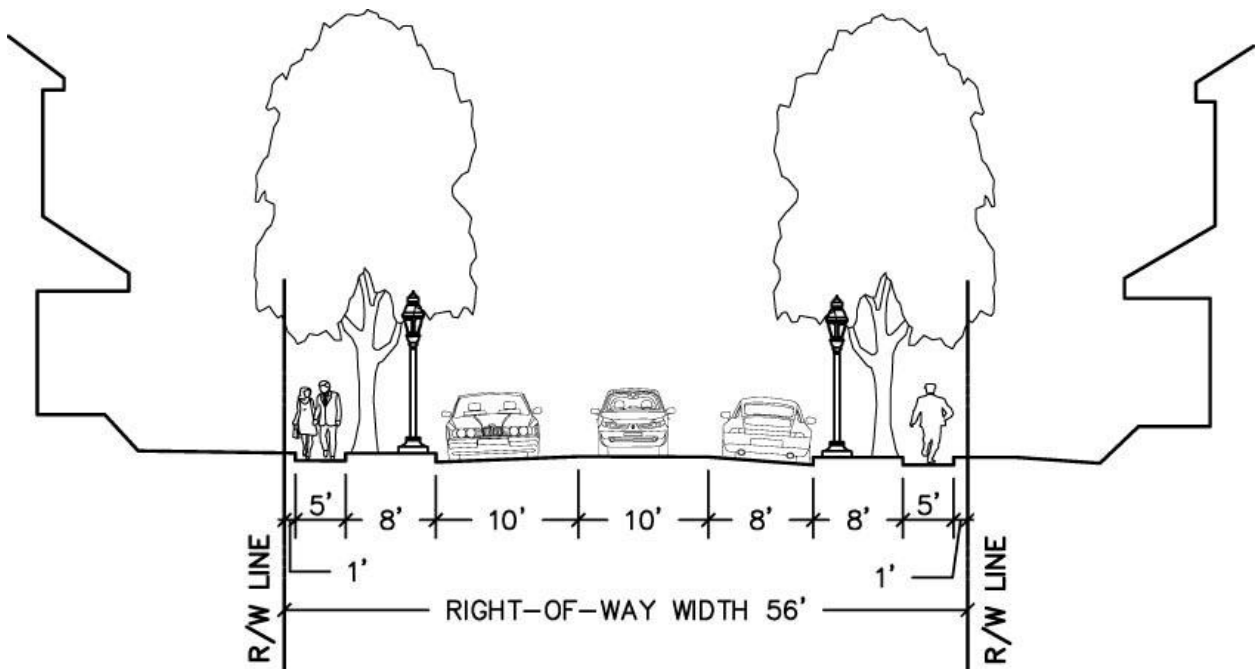


Illustration 31 — Street section for residential street, Type B.

F. Alley. Refer to Illustration 32.

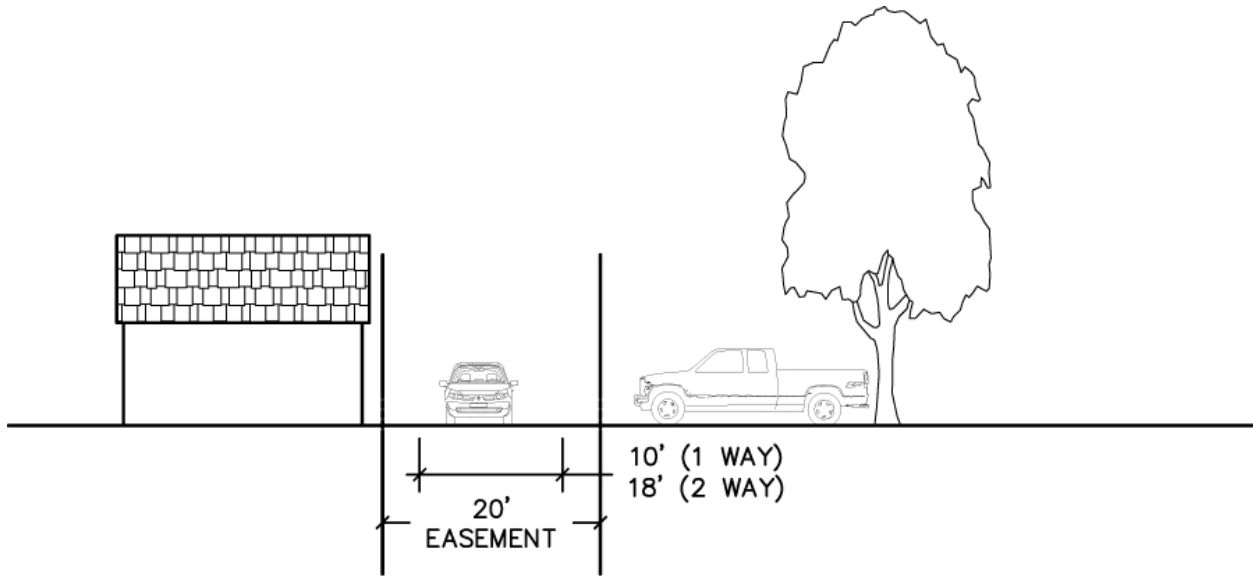


Illustration 32 — Street section for alley.

SECTION 1915. RESIDENTIAL DEVELOPMENT

1. Gross density.

A. The maximum allowable gross residential density shall not exceed the following schedule based on the zoning district in which the tract is located:

Zoning District	Maximum Residential Density (DU/AC)	
	Without TDR	With TDR
R-1	2.2	4
R-2	2.9	7
R-3	4.3	10

B. For tracts acting as receiving zones for transferable development rights (TDR), refer to Article XXVI of this ordinance.

2. Dwelling unit mix. A minimum of two residential dwelling types shall be provided in each development. Dwelling unit types shall be defined based upon form per the definitions in Article V and herein, regardless of fee simple or condominium ownership. Single-family detached units are not required; however, where they are proposed, they shall comprise a maximum of forty (40) percent of the total units. Carriage houses shall not constitute more than ten (10) percent of the dwelling units in a development. Refer to Illustrations 33 through 35.



Illustration 33 — Single-family residential development in Manheim Township with a positive VPS rating.



Illustration 34 — Semidetached dwellings in Manheim Township with a positive VPS rating.



Illustration 35 — Townhouses in the Village of Lititz with a positive VPS rating.

3. Net residential density shall generally decrease from the community green towards the periphery of the development. A mix of dwelling unit types shall be distributed throughout the development, with smaller lots and higher density dwellings generally located closer to the community green and Main Street if such is provided. The segregation of different dwelling unit types is discouraged, and no dwelling unit type shall be isolated in a particular area of the development, except that apartments over retail or live-work units would only be found in a Main Street commercial area. Where a non-residential component is proposed, a minimum of ten (10) percent of the blocks shall have a mix of two (2) dwelling unit types located along its street frontage. Lot widths and lot sizes shall vary to accommodate a diversity of dwelling unit types. Refer to Illustration 36.

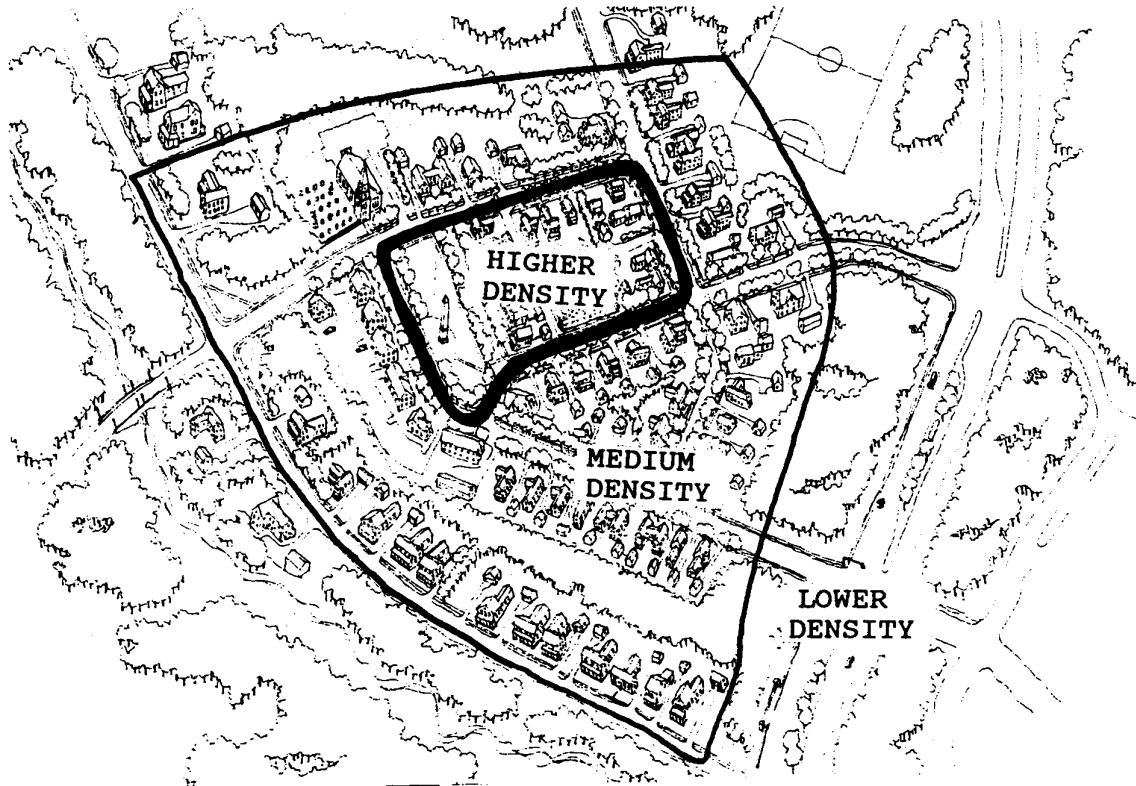


Illustration 36 — Residential density should generally decrease from the community green towards the periphery of the neighborhood.

4. Buildings containing dwelling units shall be designed to vary in appearance. Building designs shall vary in terms of footprint, architectural elevations, fenestration, type of roof, height, front entrance and porch locations. Colors, materials and architectural details should be limited in number, compatible, and used repeatedly throughout the neighborhood; however, a monotonous pattern should be avoided. Refer to Illustration 37.



Illustration 37 — Buildings containing dwelling units should be designed to vary in appearance.

5. Accessory dwellings integrally attached to single-family detached dwellings or detached accessory building or carriage houses, located on the same lot as single-family detached dwellings. Accessory dwellings shall be limited to one thousand (1,000) square feet in floor area and shall comply with Section 2515. For the purposes of calculating residential density, each accessory dwelling unit or carriage house unit shall count as one-half (0.5) dwelling unit. There shall not be more than one (1) accessory dwelling located on a lot in addition to the single-family detached dwelling. Refer to Illustration 38.



Illustration 38 — Accessory dwellings may take the form of detached outbuildings, such as carriage houses. This photograph of a carriage house located at the rear of a lot in the Village of Cranbury, New Jersey, received a positive VPS rating.

6. Apartment dwellings located on upper floors above commercial uses shall be limited to a maximum of one thousand five hundred (1,500) square feet in gross floor area, and, for the purposes of calculating residential density, each such apartment dwelling located on upper floors above commercial uses shall count as one-half (0.5) dwelling unit. Refer to Illustration 39.



Illustration 39 — Apartment dwellings may be located on the upper floors of mixed-use buildings above commercial uses.

7. A minimum of fifty (50) percent of the ground floor of all dwelling units, except apartment dwellings located on upper floors, shall be raised above ground level at the front of the building by a minimum of two (2) feet. Refer to Illustration 40.



Illustration 40 — The ground level of fifty (50) percent of all dwelling units should be raised at least two (2) feet above grade, preferably combined with a covered front entry porch.

8. A minimum of fifty (50) percent of all dwelling units, excluding accessory dwellings, apartment dwellings and carriage houses located on upper floors, shall have a clearly defined front yard using landscaping, hedging, fencing or a brick or stone wall, none of which shall exceed forty-two (42) inches in height. Front yards of attached duplexes or townhouses may be unified into one common yard treated as a single front yard of the entire building. Refer to Illustration 41.

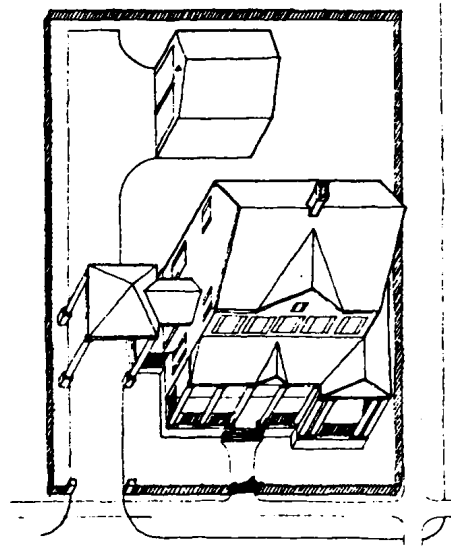
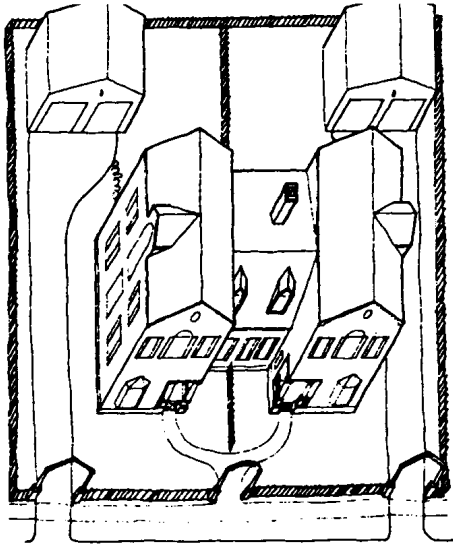


Illustration 41 — The front yard of fifty (50) percent of all dwelling units should be clearly defined by landscaping, hedging, fencing, or a brick or stone wall.

9. A minimum of fifty (50) percent of dwelling units, except apartments and carriage houses, shall have a front entrance articulated with a covered front entry porch. Front porches shall generally be located on the front of the dwelling facing the sidewalk, but may occasionally be located on the side wall of a dwelling. The size of front entry porches shall be a minimum of five (5) feet deep from the front wall of the dwelling to the enclosing porch rail and ten (10) feet long. Refer to Illustration 42.

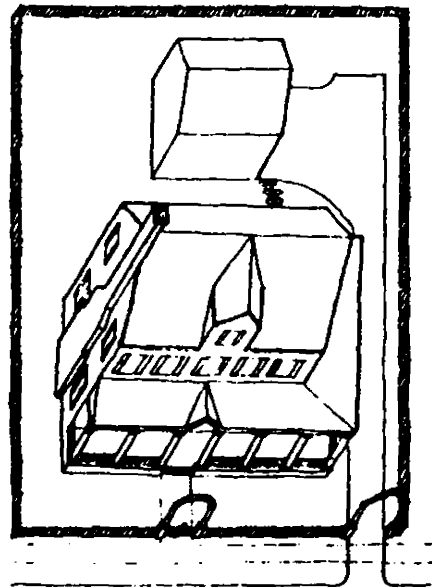
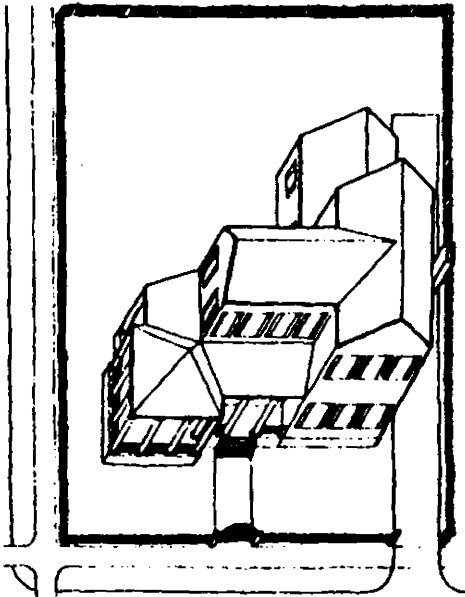


Illustration 42 — The front entrance of fifty (50) of all dwelling units should have a covered front entry porch, preferably raised a minimum of two feet above ground level.

10. All dwelling units, except apartments and carriage houses located on upper floors, shall have a private yard or patio a minimum of one hundred (100) square feet in area and may be enclosed by a wooden fence, trellis or lattice, evergreen hedge, or some combination thereof. The height of such enclosure shall not exceed six feet and shall be suitable to provide privacy and screen views of neighboring uses. At least fifty (50) percent of the upper-floor apartment dwellings shall be provided with a terrace consisting of a minimum of sixty (60) square feet, recessed inside the exterior building wall of the dwelling. For upper-floor apartment dwellings, each dwelling shall be provided with access to a conveniently located common rear yard or patio consisting of one hundred (100) square feet of area. Refer to Illustration 43.

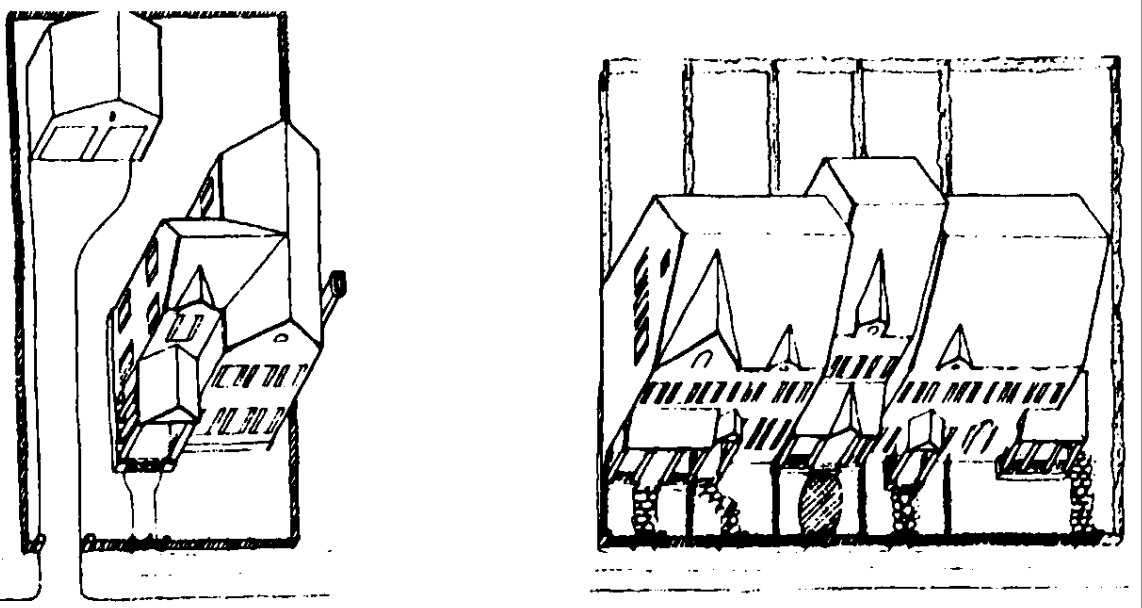


Illustration 43 — All dwelling units shall have a private yard, patio or upper-floor terrace.

SECTOM 1916. COMMERCIAL DEVELOPMENT

- 1. Eligibility for commercial development. Commercial components shall be permitted only under the following conditions:
 - A. A minimum of twenty (20) acres of contiguous gross acres of land shall be required for a commercial component to be considered in a planned residential development.
 - B. The development shall be located within 3,000 feet of a highway interchange, major or minor arterial, or major collector road in accordance with the Manheim Township Comprehensive Plan and the Manheim Township Subdivision and Land Development Ordinance.
 - C. The development shall not be located within a two-mile radius of another Planned Residential District with a commercial component, planned commercial development, or shopping center.

2. Commercial density.
 - A. The commercial density of a Planned Residential Development shall range from a minimum of forty (40) square feet of commercial floor area per residential dwelling unit to a maximum of one hundred fifty (150) square feet of commercial floor area per dwelling unit. If the plan is constructed in phases, the minimum square footage of commercial floor area per dwelling unit must be constructed during each phase. For the purposes of this subsection, accessory dwellings, carriage houses and apartments located on upper floors above a commercial use shall be counted as one-half (0.5) dwelling unit each.
 - B. Commercial density may exceed one hundred fifty (150) square feet of commercial floor area per dwelling unit up to a maximum of three hundred (300) square feet per dwelling unit where the developer acquires a development right for each additional five hundred (500) square feet of floor area in accordance with Article XXVI, Transfer of Development Rights (TDR). In no case shall the commercial floor area exceed three hundred (300) square feet per residential dwelling unit.
3. At no time in the development of a planned residential development phase may the commercial density in the sections developed be cumulatively greater than the density permitted above.
4. The commercial component shall consist of a minimum of fifty (50) percent commercial uses primarily oriented to serve the residents of the development and residents of the immediately surrounding residential community located within two thousand (2,000) feet of the commercial use. The remaining commercial uses may consist of any permitted commercial uses, including other types of retail and service uses.
5. Commercial development shall be mixed and integrated with dwelling units and public and semipublic uses and community facilities. The greatest concentration of commercial development shall be located around a community green and/or within a Main Street commercial area. Refer to Illustration 44. Individual commercial uses may also be located in corner stores. Refer to Illustrations 45 through 47.

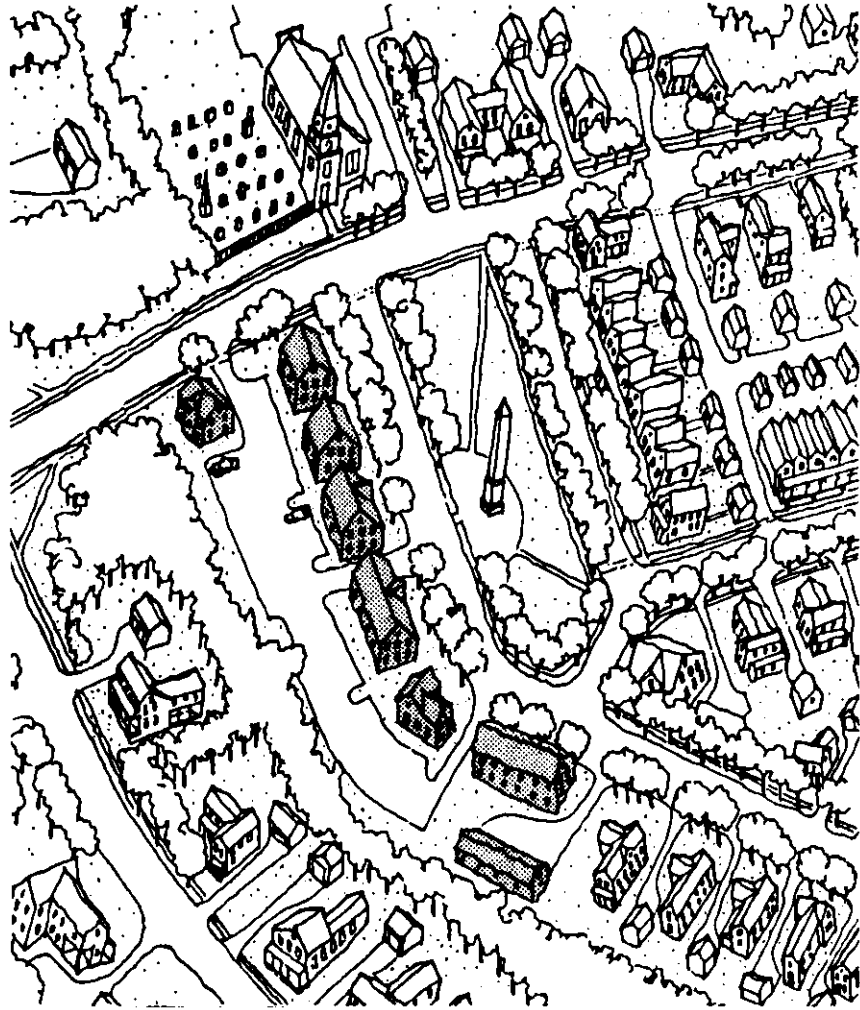


Illustration 44 — The greatest concentration of commercial development in a neighborhood should be around a community green and/or within a Main Street commercial area.



Illustration 45 — Commercial use situated on Main Street across from the community green in the Village of Lititz with a positive VPS rating.

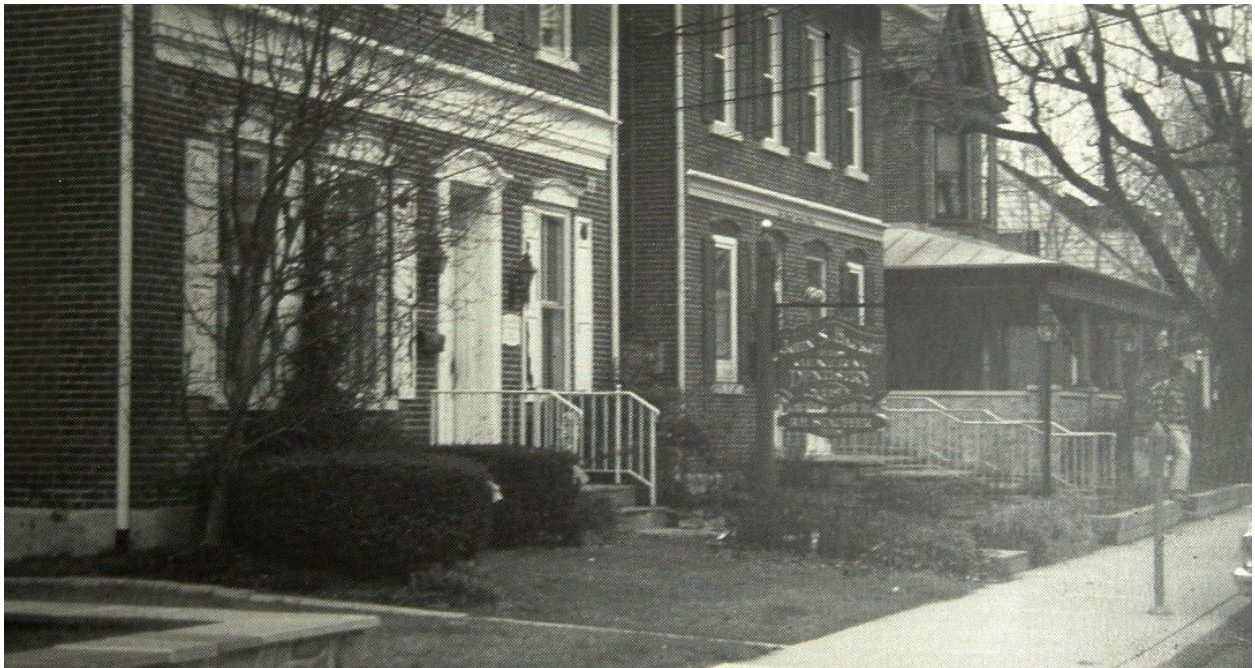


Illustration 46 — Ground-level offices with upper-level apartments in New Holland, Pennsylvania, with a positive VPS rating.



Illustration 47 — High concentration of commercial uses and apartments on Main Street in the Village of Lititz with a positive VPS rating.

6. Commercial uses shall primarily be contained in multistory, mixed-use structures with commercial uses on the ground level and apartment dwellings on the upper levels. Such buildings shall vary in terms of footprint and architectural elevations. The maximum ground-level footprint of a commercial building shall be fifteen thousand (15,000) square feet, provided that the maximum area devoted to a single business shall not exceed five thousand (5,000) square feet, and provided that commercial buildings shall provide several primary facade treatments. Each such facade treatment shall not exceed fifty (50) feet in length. In a three (3) story building, the second floor may contain either apartment dwellings or commercial uses. However, in no case shall nonresidential uses be located above residential uses. Refer to Illustration 48.



Illustration 48 — Multistory, mixed-use structures may contain retail uses on the ground floor, office uses on the second floor and apartment dwellings on the third floor.

7. Corner stores may be located in residential areas of the development on corner lots adjacent to or across the street from an internal open space. Corner store buildings shall be designed to appear as a residential building and shall be limited to one ground-level commercial use not to exceed 2,500 square feet in gross floor area with apartment dwellings on the upper level(s). The commercial use in a corner store shall be primarily oriented to serve the residents of the immediately surrounding neighborhood. Refer to Illustration 49.

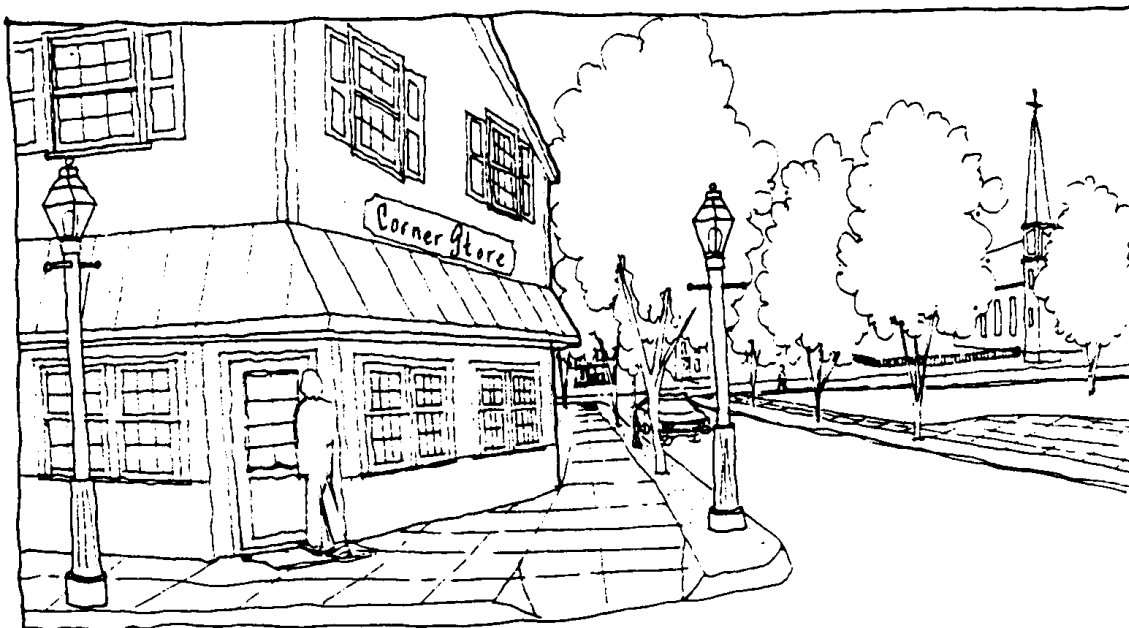


Illustration 49 — Commercial uses may also be located in corner stores within residential areas.

8. Restaurant uses shall be permitted to operate outdoor cafes on sidewalks in accordance with Section 2526.



Illustration 50 — Restaurants may have outdoor cafes on sidewalks or in courtyards.

9. Commercial uses shall be permitted to have sidewalk displays of retail merchandise from their establishments. Refer to Illustration 51, and see Section 2527.

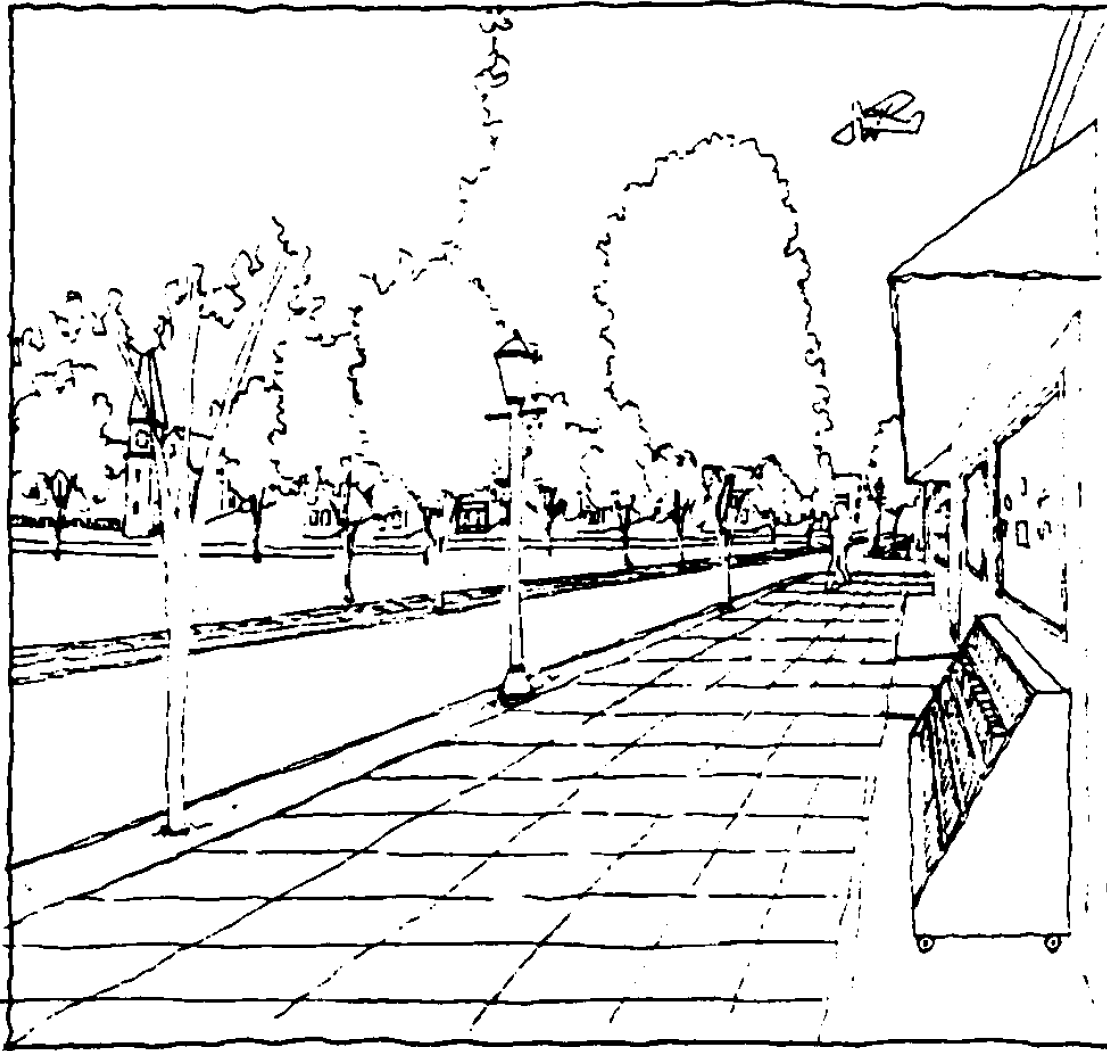


Illustration 51 — Commercial uses may have sidewalk displays of retail merchandise.

10. The following standards and guidelines are applicable to hotels located within planned residential developments:
 - (A) No more than twenty-five (25) rooms, all located within the same building, shall be made available for temporary sleeping purposes by guests.
 - (B) No guest rooms shall have direct access to the outside. Guest room entries shall line interior hallways accessed by guests who pass through a main lobby.
 - (C) Any full-service kitchen and restaurant facility for use by the general public shall be located in the same building as the rooms designated for guests.

SECTION 1917. PUBLIC AND SEMIPUBLIC USES, COMMUNITY CLUBS AND COMMUNITY FACILITIES

1. Public and semipublic uses, community clubs or community facilities are encouraged.

2. Sites for such uses shall be located around the community green or along or adjacent to Main Street, where feasible. In all cases, such uses shall be located within one quarter (1/4) mile of Main Street. Refer to Illustration 52.
3. Sites for such uses shall be dedicated to appropriate users, as determined by the Board of Commissioners.

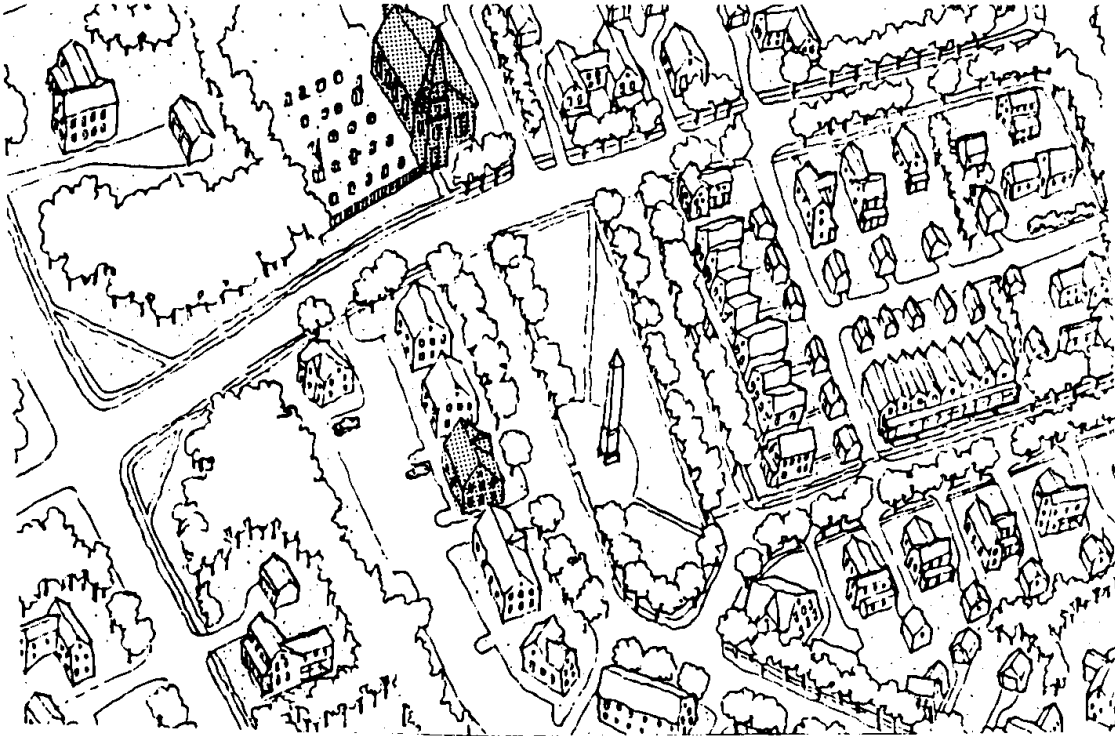


Illustration 52 — Sites for public and semipublic uses, community clubs and community facilities should be prominently located around a community green or within a Main Street commercial area.

4. Such uses shall occupy more prominent buildings, by virtue of additional mass and height, civic architectural design, or other distinguished features. Refer to Illustration 53.



Illustration 53 — Buildings for public and semipublic uses, community clubs and community facilities should be prominent by virtue of additional mass and height, civic architectural design, or other distinguished features.

SECTION 1918. SIDEWALKS AND NONMOTORIZED PATHS.

1. A sidewalk system shall be provided interconnecting all residential areas and individual dwelling units with other dwelling units, nonresidential uses and common open spaces, as well as connecting to adjoining developments and public and semipublic uses. Sidewalks shall be of barrier-free design to the greatest extent possible and shall meet the requirements of the Americans With Disabilities Act. The pedestrian circulation system shall include gathering/sitting areas and provide benches, landscaping and other street furniture where appropriate.
2. Sidewalks shall be a minimum of five (5) feet in width; sidewalks in commercial areas, including along Main Street, shall be ten (10) to fifteen (15) feet in width. Sidewalks shall be constructed of brick, slate, colored/textured concrete pavers, concrete-containing accents of brick or some combination thereof that is compatible with the style, materials, colors and details of the surrounding buildings. The functional, visual and tactile properties of the paving materials shall be appropriate to the proposed functions of pedestrian circulation.
3. Sidewalks along streets shall be set back a minimum of five (5) feet from the curb. At corners in commercial areas, handicapped ramps shall be provided and sidewalks shall be continued across street surfaces in accordance with the Township and PennDOT standards.

4. Walkways shall be raised and curbed along buildings and within parking lots, where suitable. Pedestrian crosswalks shall be designed in accordance with the Township and PennDOT standards. All sidewalks and other pedestrian walkways shall have appropriate lighting fixtures consistent with the overall design theme for the development.
5. Nonmotorized paths shall be provided where possible, linking internal open space areas with perimeter open space areas and open space areas on adjacent tracts. Nonmotorized paths shall be a minimum of ten (10) feet wide and may use asphalt paving. Nonmotorized paths shall be designed for shared use by both bicyclists and pedestrians and shall be set back from curbs a minimum of five (5) feet.

SECTION 1919. AREA AND BULK REGULATIONS.

1. Single-family detached dwellings:
 - A. Minimum lot area: six thousand two hundred fifty (6,250) square feet.
 - B. Minimum lot width:
 - (1) At street line: Fifty (50) feet.
 - (2) At front yard setback line: Fifty (50) feet.
 - C. Minimum lot depth: One hundred twenty five (125) feet.
 - D. Minimum yard dimensions:
 - (1) Front yard: minimum of ten (10) feet; maximum of twenty-five (25) feet.
 - (2) Side yard (each side): minimum of eight (8) feet.
 - (3) Rear yard: Twenty-five (25) feet.
 - E. Maximum building height: Thirty-five (35) feet.
 - F. Maximum building coverage: Forty (40) percent.
 - G. Minimum open area: Forty (40) percent.
 - H. Bulk standards for accessory dwellings. An accessory dwelling located on the same lot as a single-family detached dwelling, whether attached or detached to same, shall additionally comply with the bulk standards as specified above without modification, except that a detached accessory dwelling shall be limited to a maximum building height of twenty-five (25) feet.
 - I. Area and bulk standards for flag lots. Flag lots shall comply with the above-specified area and bulk standards, except the minimum lot width at the street line and the minimum lot width at the front yard setback line shall be fifteen (15) feet.
 - J. A maximum of five (5) percent of all single-family detached dwelling lots may be flag lots.

2. Zero lot line single-family detached dwellings:
 - A. Lot area: minimum of six thousand two hundred fifty (6,250) square feet per dwelling unit.
 - B. Minimum lot width:
 - (1) At street line: Fifty (50) feet.
 - (2) At front yard setback line: Fifty (50) feet.
 - C. Minimum lot depth: One hundred twenty five (125) feet.
 - D. Minimum yard dimensions:
 - (1) Front yard: minimum of 10 feet; maximum of twenty-five (25) feet.
 - (2) Side yard: minimum of twelve (12) feet one side; the dwelling unit shall be located along the side lot line, with a minimum of 12 feet of side yard on the other side. In the case of irregularly shaped lots or units, the dwelling is not required to be located along the lot line for the entire width of the house. Such side yard shall account for any eave overhang.
 - (3) Rear yard: minimum of twenty-five (25) feet.
 - E. Maximum building height: Thirty-five (35) feet.
 - F. Maximum building coverage: Forty (40) percent.
 - G. Minimum open area: Forty (40) percent.
 - H. Maintenance easement. A maintenance easement of six feet shall be provided on the lot adjoining the zero lot line dwelling. Where only a portion of a zero lot line dwelling unit is located along the side lot line, the maintenance easement shall be adjusted accordingly and shall be provided only along that portion of the lot line where such structure is located.
 - I. Additional standards for accessory dwellings. An accessory dwelling located on the same lot as a zero lot line single-family detached dwelling, whether attached or detached to same, shall additionally comply with the standards as specified above without modification, except that a detached accessory dwelling shall be limited to a maximum building height of 25 feet.
 - J. Area and bulk standards for flag lots. Flag lots shall comply with the above-specified area and bulk standards, except the minimum lot width at the street line and the minimum lot width at the front yard setback line shall be 15 feet.
 - K. The minimum building separation between principal buildings on adjoining lots shall be twelve (12) feet.

- L. Detached garages or sheds and attached decks or patios of zero lot line dwellings shall be permitted to be located along the same side lot line as the dwelling unit provided they are constructed with the initial house construction.
3. Single-family semidetached dwellings:
- A. Lot area: minimum of four thousand five hundred (4,500) square feet per dwelling unit; maximum of eight thousand (8,000) square feet per dwelling unit.
 - B. Lot width:
 - (1) At street line: minimum of twenty-five (25) feet per dwelling unit; maximum of sixty-five (65) feet per dwelling unit.
 - (2) At front yard setback line: minimum of forty (40) feet per dwelling unit; maximum of sixty-five (65) feet per dwelling unit.
 - C. Minimum lot depth: One hundred twenty five (125) feet.
 - D. Yard dimensions:
 - (1) Front yard: minimum of ten (10) feet; maximum of twenty-five (25) feet.
 - (2) Side yard (one side): minimum of six (6) feet; maximum of twenty (20) feet.
 - (2) Rear yard: minimum of twenty-five (25) feet.
 - E. Maximum building height: Thirty-five (35) feet.
 - F. Maximum building coverage: Fifty (50) percent.
 - G. Minimum open area: Forty (40) percent.
 - H. Maintenance easement. A maintenance easement of six (6) feet shall be provided on the lot line shared by the two dwellings. The maintenance easement shall be adjusted accordingly and shall be provided only along that portion of the lot line where such structure is located.
 - I. Detached garages or sheds and attached decks or patios shall be permitted to be located along the same side lot line as the dwelling unit provided they are constructed with the initial house construction.
4. Duplex dwellings:
- A. Lot area: minimum of three thousand (3,000) square feet per dwelling unit; maximum of five thousand (5,000) square feet per dwelling unit.
 - B. Lot width:
 - (1) At street line: minimum of fifteen (15) feet per dwelling unit; maximum of forty-five (45) feet per dwelling unit.

- (2) At front yard setback line: minimum of twenty-five (25) feet per dwelling unit; maximum of forty-five (45) feet per dwelling unit.
 - C. Minimum lot depth: One hundred twenty-five (125) feet.
 - D. Yard dimensions:
 - (1) Front yard: minimum of ten (10) feet; maximum of twenty-five (25) feet.
 - (2) Side yard (one side): minimum of six (6) feet; maximum of twenty (20) feet.
 - (3) Rear yard: minimum of twenty-five (25) feet.
 - E. Maximum building height: Thirty-five (35) feet.
 - F. Maximum building coverage: Fifty (50) percent.
 - G. Minimum open area: Forty (40) percent.
- 5. Townhouse (row house) dwellings:
 - A. Lot area: minimum of two thousand one hundred (2,100) square feet per dwelling unit; maximum of five thousand (5,000) square feet per dwelling unit.
 - B. Lot width:
 - (1) At street line: minimum of fifteen (15) feet per dwelling unit; maximum of forty (40) feet per dwelling unit.
 - (2) At front yard setback line: minimum of eighteen (18) feet per dwelling unit; maximum of forty (40) feet per dwelling unit.
 - C. Minimum lot depth: One hundred twenty five (125) feet.
 - D. Yard dimensions:
 - (1) Front yard: minimum of ten (10) feet; maximum of twenty-five (25) feet.
 - (2) Side yard (each end of row): minimum of ten (10) feet.
 - (3) Rear yard: minimum of twenty (20) feet.
 - E. Maximum building height: Thirty-five (35) feet.
 - F. Maximum building coverage: Sixty (60) percent.
 - G. Minimum open area: Thirty (30) percent.
 - H. Maximum building size: eight dwelling units in a row and one hundred seventy (170) feet in length.
 - I. Minimum interior yards (open space between buildings on the same lot): twenty-five (25) feet.

- J. Detached garages or sheds and attached decks or patios of townhouse dwellings shall be permitted to be located along the same side lot line as the dwelling unit provided they are constructed with the initial house construction.
 - K. Maintenance easement. A maintenance easement of six (6) feet shall be provided on the lot adjoining any dwelling unit located along a side lot line. The maintenance easement shall be adjusted accordingly and shall be provided only along that portion of the lot line where such structure is located.
6. Apartment dwellings: (Only in R-3 Residential District)
- A. Minimum lot area: no minimum lot area per dwelling unit required.
 - B. Minimum lot width: no minimum lot width required.
 - C. Minimum lot depth: no minimum lot depth required.
 - D. Yard dimensions:
 - (1) Front yard: minimum of ten (10) feet; maximum of twenty (25) feet.
 - (2) Side yard (each side): minimum of ten (10) feet.
 - (3) Rear yard: minimum of twenty-five (25) feet.
 - E. Maximum building height: Forty (40) feet, except that, with the purchase of transferable development rights, the maximum height may be increased to fifty (50) feet in accordance with Article XXVI.
 - F. Maximum building coverage: Sixty (60) percent.
 - G. Minimum open area: Thirty (30) percent.
 - H. Maximum building size: twenty-four (24) dwelling units in a building and one hundred seventy five (175) feet in length.
 - I. Minimum interior yards (open space between buildings on the same lot): Thirty (30) feet.
 - J. Maintenance easement. A maintenance and pedestrian easement of six (6) feet shall be provided on all sides of the apartment building.
7. Carriage house:
- A. Minimum lot area: no minimum lot area per dwelling unit required.
 - B. Minimum lot width: no minimum lot width required.
 - C. Minimum lot depth: no minimum lot depth required.
 - D. Maximum building height: Thirty (30) feet.

- E. Maximum building size: maximum of one (1) dwelling unit over a maximum three-vehicle detached garage. Such dwelling shall have a maximum of one thousand (1,000) square feet.
 - F. Minimum interior yards (open space between buildings on the same lot): six (6) feet.
 - G. Maintenance easement. A maintenance and pedestrian easement of six (6) feet shall be provided on all sides of the carriage house.
8. Detached private garage:
- A. Maximum capacity:
 - (1) For a single-family detached or semidetached dwelling unit: three (3) vehicles.
 - (2) For a garage associated with townhouses or apartment developments: Garage spaces may be grouped into detached structures with a maximum of eight (8) parking spaces.
 - B. Maximum height: Twenty-five (25) feet.
 - C. No temporary structures shall be permitted.
 - D. No structure shall be permitted between the required building setback line and the street line except where the street line is a principal arterial roadway, the setback shall be five (5) feet.
 - E. The structure shall be setback a minimum of fifteen (15) feet from the front facade of the principal structure.
 - F. No structure shall be located within the minimum required side yard of the dwelling type proposed, except that, for zero lot line dwellings and townhouses, the detached garage may be located along the same setback line as the dwelling unit.
 - G. No structure shall be located within eighteen (18) feet of the rear property line.
9. Commercial uses and mixed-use buildings, community clubs and community facilities:
- A. Lot area: minimum of two thousand five hundred (2,500) square feet.
 - B. Lot width:
 - (1) At street line: minimum of forty (40) feet; maximum of one hundred (100) feet.
 - (2) At front yard setback line: minimum of twenty-five (25) feet; maximum of one hundred (100) feet.
 - C. Minimum lot depth: One hundred (100) feet.
 - D. Yard dimensions:
 - (1) Front yard: minimum of five (5) feet; maximum of fifty (50) feet.

- (2) Side yard (each side): minimum of zero (0) feet, if attached to an adjacent building; minimum of five (5) feet if not attached to an adjacent building; maximum of twenty (20) feet.
 - (3) Rear yard: minimum of fifty (50) feet.
 - E. Maximum building height: Forty-five (45) feet.
 - F. Maximum building coverage: Seventy (70) percent.
 - G. Minimum open area: Twenty (20) percent.
 - H. Maximum building size: One hundred fifty (150) feet in length, including adjacent buildings on adjacent lots if attached thereto.
 - I. Minimum interior yards (open space between buildings on the same lot): fifteen (15) feet, subject to stricter requirements enforceable through the International Building Code.
10. Public and semipublic uses:
- A. Lot area: minimum of two (2) acres.
 - B. Lot width:
 - (1) At street line: minimum of one hundred (100) feet.
 - (2) At front yard setback line: minimum of seventy-five (75) feet; maximum of one hundred (100) feet.
 - C. Minimum lot depth: One hundred (100) feet.
 - D. Yard dimensions:
 - (1) Front yard: minimum of ten (10) feet; maximum of twenty-five (25) feet.
 - (2) Side yard (each side): minimum of zero (0) feet, if attached to an adjacent building; minimum of ten (10) feet if not attached to an adjacent building; maximum of twenty (20) feet.
 - (3) Rear yard: minimum of fifty (50) feet.
 - E. Maximum building height: Forty (45) feet.
 - F. Maximum building coverage: Fifty (50) percent.
 - G. Minimum open area: Fifty (50) percent.
 - H. Maximum building size: One hundred fifty (150) feet in length, including adjacent buildings on adjacent lots if attached thereto.
 - I. Minimum interior yards (open space between buildings on the same lot): Fifteen (15) feet, subject to stricter requirements enforceable through the International Building Code.

SECTION 1920. REQUIRED PARKING

- 1. Off-street parking.
 - A. Off-street parking shall be provided according to minimum requirements as set forth in Article XX of this ordinance, unless specified to the contrary below:

Use	Required Parking
Townhouse dwellings	1.75 spaces per unit
Apartment dwellings	1.5 spaces per unit
Carriage house	1.25 spaces per unit
Accessory dwellings	1 space per unit
Commercial uses	1 space for each 450 square feet of gross floor area

- B. Where on-street parking is not available, overflow/guest parking shall be provided at a rate of one quarter (0.25) space per townhouse or apartment unit. Such parking may be provided in several locations, but shall be provided within four hundred (400) feet of the residential building entrances.
- 2. General design requirements: off-street parking.
 - A. No required off-street parking spaces shall be permitted between the street line and the primary facade of any residential or nonresidential building.
 - B. Open air or surface off-street parking lots shall be prohibited at street corners along the designated Main Street.
 - C. Off-street parking lots for uses along the designated Main Street shall be located to the side or rear of buildings and accessed via an alley or access drive.
 - D. Off-street nonresidential parking lots shall be interconnected with nonresidential parking lots on adjacent properties via alleys, access drives, or cross-access easements. Cross-access easements for adjacent lots with interconnected parking lots shall be required. A cross-access easement agreement in language acceptable to the Township Solicitor shall be provided. Common, shared parking facilities are encouraged, where possible. Refer to Illustration 54.
 - E. Parking lots shall be organized into sections, not to exceed fifty (50) parking spaces, separated from other sections by pedestrian aisles, biofiltration areas, or planting strips.
 - F. Off-street parking for nonresidential uses shall be sufficient to provide parking for the employees of all proposed uses as well as long-term customer parking. Spaces reserved for employees shall be designated as such by means of striping and signage.

3. General design requirements: on-street parking.
 - A. On-street parking spaces shall be a minimum of seven (7) feet wide by twenty-two (22) feet long.
 - B. On-street parking shall not be permitted within twenty-five (25) feet of an intersection.
 - C. The minimum required on-street parking for nonresidential uses: one space per one thousand (1,000) square feet of gross floor area of commercial uses. Where the minimum on-street parking requirement cannot be completely complied with, the deficient number of spaces shall be provided in off-street parking lots.
 - D. Commercial on-street parking shall be provided as curbside parallel or angled parking located along both sides of the streets on all blocks upon which nonresidential or mixed uses front.
 - E. On-street parking is strongly encouraged in residential areas, particularly residential areas with townhouse and multifamily uses.

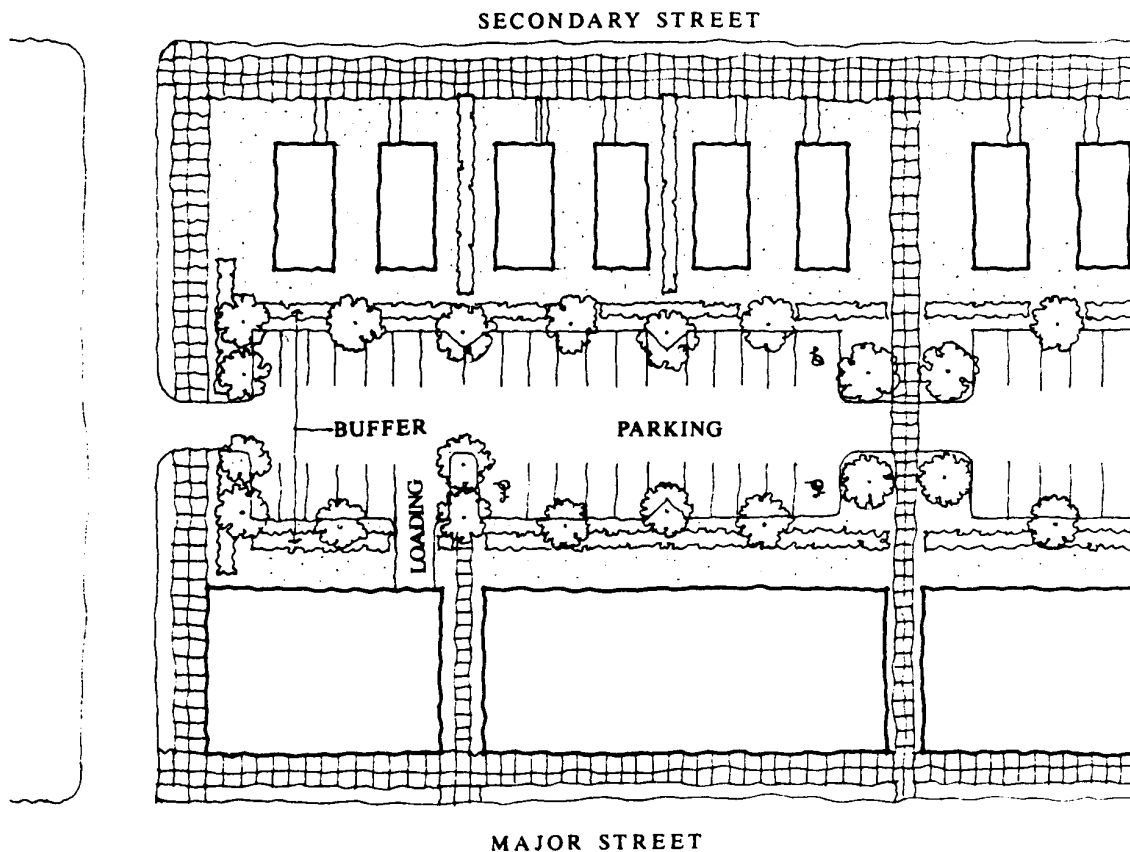


Illustration 54 — Off-street parking areas should be located to the rear of buildings and appropriately landscaped, buffered and screened.

4. Residential parking.
 - A. Driveways for single-family detached dwellings, single-family semidetached dwellings and duplexes shall be setback a minimum of three (3) feet from the side of dwelling units and three (3) feet from any side property line, except that a driveway shared by dwellings on two (2) adjacent lots may be located with the driveway center line on the common side lot line where an access easement and corresponding access easement agreement are provided.
 - B. Any front-loaded attached garage for single-family detached or single-family semi-detached dwelling shall be setback a minimum of fifteen (15) feet further than the primary facade of the dwelling unit. A garage shall meet the side and rear yard setbacks of the principal dwelling.
 - C. Parking for townhouses and multifamily buildings shall be provided in common off-street parking areas, garages, or driveways, at least eighty (80) percent of which are located to the rear of the units and accessed from a rear alley. Common parking lots located on a lot other than that containing the units shall be within four hundred (400) feet of the building entrances. Attached garages shall be rear loaded, except that this shall not apply to carriage house dwellings.
5. Parking lot landscaping, buffering and screening.
 - A. Lots for apartment and nonresidential uses shall balance the functional requirements of parking with the provision of pedestrian amenities. Transition areas between parking and nonresidential or residential uses shall be designed with textured paving, landscaping and street furniture.
 - B. Parking lot layout, landscaping, buffering and screening shall prevent direct views of parked vehicles from streets and sidewalks, avoid spillover light, glare, noise or exhaust fumes onto adjacent properties, in particular residential properties, and provide the parking area with a reasonable measure of shade when trees reach maturity. In order to achieve these objectives, parking lots exposed to view shall be surrounded by a minimum four (4) feet high year-round visually impervious screen or hedge. The height of any required screen or hedge shall decrease where driveways approach sidewalks or walkways, in order to provide adequate visibility of pedestrians from motor vehicles, and shall not interfere with clear sight triangle requirements. Requirements of this section shall not apply to parking courts, which combine garage spaces located in carriage houses, surface parking, and townhouses. For parking courts, surface parking shall be screened from view by the surrounding carriage houses and townhouses, in a manner that no additional screen, hedge, or wall is needed. Parking courts shall be additionally delineated by special paving, distinct from typical street paving, and have a central landscaped median with a minimum width of five (5) feet.
 - C. The interior of all parking lots shall be landscaped to provide shade and visual relief. This is best achieved by protected planting islands or peninsulas within the perimeter of the parking lot. Parking lots with ten (10) spaces or less may not require interior landscaping if the Board of Commissioners determines there is adequate perimeter

landscaping. If this perimeter landscaping is found to be inadequate, and in parking lots with eleven (11) or more spaces, a minimum of one (1) deciduous street or ornamental tree shall be planted for every five (5) parking spaces. Choice of plant materials, buffer width, type of screening, location and frequency of tree planting shall be flexible, provided these objectives are substantially satisfied.

- D. Parking lot layout shall take into consideration pedestrian circulation. Pedestrian crosswalks shall be provided, where necessary and appropriate, shall be distinguished by textured paving and shall be integrated into the wider network of pedestrian walkways. Pavement textures shall be required on pedestrian accessways, and strongly encouraged elsewhere in the parking lot, as surfacing materials or when used as accents.
 - E. The preservation of existing vegetation is encouraged where feasible.
 - F. Parking lot landscaping materials shall consist predominantly of native species. No invasive species shall be permitted.
 - G. Any required plantings that dies shall be replaced in kind.
6. Bicycle parking. Bike racks shall be provided in internal open space areas, parking lots, and other areas deemed appropriate by the Board of Commissioners. Refer to Section 2013.

SECTION 1921. REQUIRED LOADING AND SERVICE AREAS

- 1. When required, loading docks, solid waste facilities, recycling facilities and other service areas shall be placed to the rear or side of buildings, in less visually obtrusive locations. Refer to Illustration 55.
- 2. Screening and landscaping shall prevent direct views of the loading areas and their driveways from adjacent properties or from the public right-of-way. Screening and landscaping shall also prevent spillover glare, noise or exhaust fumes. Screening and buffering shall be achieved through fences and landscaping, shall be a minimum of four feet high, and shall be visually impervious. Recesses in the building or depressed access ramps may also be used.

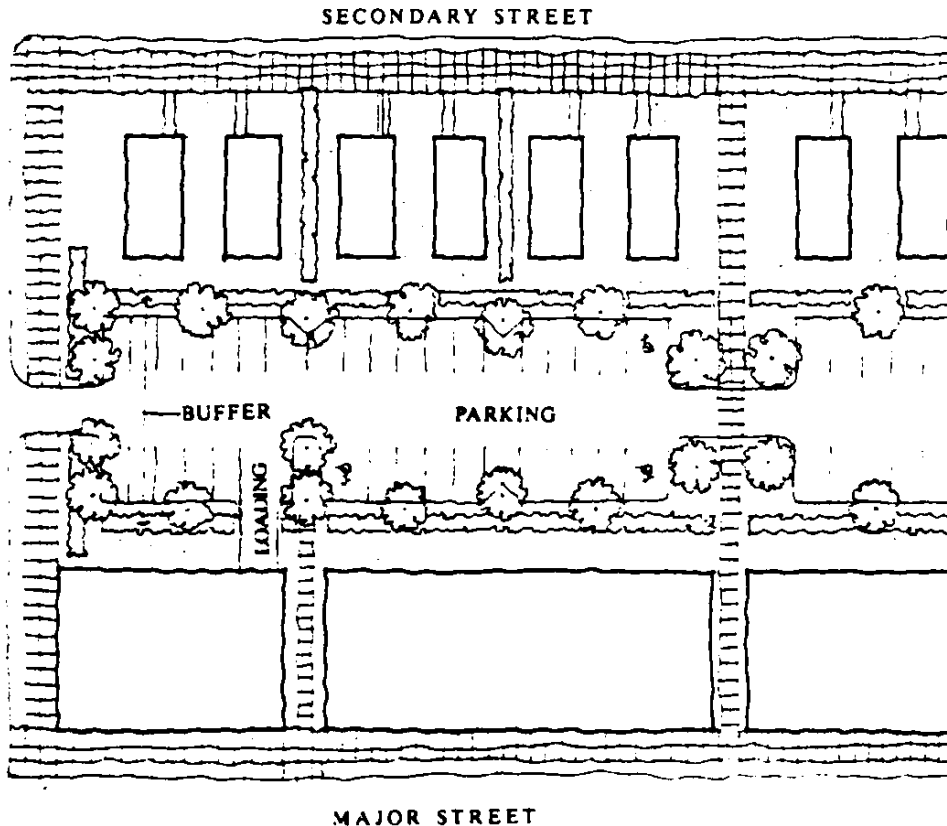


Illustration 55 — Loading and service areas should be located to the rear of buildings and be appropriately landscaped, buffered and screened.

SECTION 1922. FLOODPLAIN CONTROL

All floodplain areas shall comply with the requirements of Chapter 265, Floodplain Management, and be in accordance with this chapter. Floodplain areas may be utilized in meeting open space requirements and may be used to commute density in Planned Residential Developments and apartment development but not in meeting minimum lot area requirements.

SECTION 1923. SIGNS

All signs located within a Planned Residential Development shall comply with the sign regulations of the underlying zoning district as delineated by this chapter, unless otherwise addressed in this section. All signs for any nonresidential uses within a planned residential development shall comply with the regulations below:

1. Sign area shall be calculated in accordance with Article XVIII.
2. Nonresidential signs.
 - A. Temporary signs.
 - (1) Temporary signs advertising a business opening or change in ownership shall not exceed an area of sixteen (16) square feet and shall require a temporary zoning permit specifying the date of removal.

- (2) All temporary signs shall have the date of removal printed clearly on the lower right-hand corner, as viewed from the exterior, and shall be permitted for a period not to exceed thirty (30) days.
 - (c) None of the above signs, when meeting the herein-stated requirements, shall require a zoning permit.
- B. Prohibited signs:
- (1) Signs employing mercury vapor, low-pressure and high-pressure sodium, and metal halide lighting; plastic panel internally illuminated signs.
 - (2) Signs on roofs, dormers and balconies.
 - (3) Billboards.
 - (4) Signs painted or mounted upon the side or rear walls of any principal or accessory building or structure, except as otherwise permitted herein.
- C. Permitted signs:
- (1) Wall-mounted signs, provided the following standards are met:
 - [a] The sign shall be affixed to the primary facade of the building and shall project outward from the wall to which it is attached no more than six (6) inches.
 - [b] The sign area shall not exceed one (1) square foot per linear foot of primary building facade or twenty-four (24) square feet, whichever is less.
 - [c] The maximum permitted height shall be fifteen (15) feet above the front sidewalk elevation and shall not extend above the base of the second-floor windowsill, parapet, eave or building facade.
 - [d] The height of the lettering, numbers or graphics shall not exceed fourteen (14) inches, except that one (1) logo may be a maximum of thirty-two (32) inches in height.
 - [e] A maximum of one (1) wall-mounted sign shall be permitted on a maximum of two (2) walls.
 - [f] Uses that have an approved, permanent detached accessory structure, such as a drive-through or gas canopy, shall be permitted one additional wall sign with a maximum of twenty-four (24) square feet in area.
 - [g] One (1) additional wall-mounted sign, not exceeding eight (8) square feet in area, shall be permitted on any side or rear entrance open to the public. Such wall sign may only be lighted during the operating hours of the business.

- (2) Applied letters may substitute for wall-mounted signs, if constructed of painted wood, painted cast metal, bronze, brass or black anodized aluminum. Applied plastic letters shall not be permitted. The height of applied letters shall not exceed fourteen (14) inches, except that one (1) logo may be a maximum of thirty-two (32) inches.
- (3) Wall-mounted building directory signs identifying the occupants of a commercial building, including upper-story business uses, provided the following standards are met:
 - [a] The sign is located next to the entrance.
 - [b] The sign shall project outward from the wall to which it is attached no more than six (6) inches.
 - [c] The sign shall not extend above the parapet, eave or building facade.
 - [d] The sign area shall not exceed three (3) square feet, with each tenant limited to one (1) square foot.
 - [e] The height of the lettering, numbers or graphics shall not exceed four (4) inches.
- (4) Projecting signs, including graphic or icon signs, mounted perpendicular to the building wall, provided the following standards are met:
 - [a] The signboard shall not exceed ten (10) square feet.
 - [b] The distance from the ground to the lower edge of the signboard shall be eight (8) feet or greater.
 - [c] The height of the top edge of the signboard shall not exceed the height of the wall from which the sign projects, if attached to a single-story building, or the height of the sill or bottom of any second story window, if attached to a multistory building.
 - [d] The distance from the building wall to the signboard shall not exceed six (6) inches.
 - [e] The width of the signboard shall not exceed three (3) feet.
 - [f] The height of the lettering, numbers or graphics shall not exceed eight (8) inches, except that one logo may be twelve (12) inches.
 - [g] Limited to one (1) sign per business. Projecting signs are not permitted in conjunction with freestanding signs.
- (5) Painted window or door signs, provided the following standards are met:
 - [a] The sign shall not exceed twenty (20) percent of the window door area.
 - [b] The sign shall be silk-screened or handpainted.

- [c] The height of the lettering, numbers or graphics shall not exceed eight (8) inches.
 - [d] Limited to one (1) sign per business, painted on either the window or the door, but not on both.
 - [e] May be in addition to only one of the following: a wall-mounted sign, a freestanding sign, a projecting sign or an awning sign. In such case, the maximum size of the sign shall be ten (10) percent of the total window or door area.
 - [f] The sign shall be located so as to not block the view of the merchandise on display.
- (6) Awning signs, for ground-floor uses only, provided the following standards are met:
- [a] If acting as the main business sign, it shall not exceed ten (10) square feet in area, and the height of the lettering, numbers or graphics shall not exceed twelve (12) inches.
 - [b] If acting as an auxiliary business sign, it shall be located on the valance only, shall not exceed four (4) square feet in area, and the height of the lettering, numbers or graphics shall not exceed twelve (12) inches.
 - [c] Limited to two such signs per business, on either awning or valance, but not on both.
 - [d] Such sign shall not be in addition to a wall-mounted sign.
- (7) One (1) freestanding sign, provided the following standards are met:
- [a] The building where the business to which the sign refers is located shall be setback a minimum of five (5) feet from the street line.
 - [b] The sign area shall not exceed six (6) square feet.
 - [c] The height of the lettering, numbers or graphics shall not exceed eight (8) inches.
 - [d] The height of the highest point of the sign shall not exceed six (6) feet from the ground.
 - [e] The signboard shall be constructed of wood, with wood or cast-iron brackets, and shall be architecturally compatible with the style, composition, materials, colors and details of the building.
 - [f] The signboard shall not be illuminated after 10:00 p.m.
 - [g] The sign shall be located within four (4) feet of the main entrance to the business, and its location shall not interfere with pedestrian or vehicular circulation.

- [h] Limited to one (1) sign per building and shall not be in addition to wall-mounted/applied letters signs.
- (8) Businesses located in corner buildings are permitted one (1) sign for each street frontage.
- (9) Businesses with service entrances may identify these with one (1) sign not exceeding two (2) square feet.
- (10) One (1) directional sign, facing a rear parking lot. This sign may be either wall-mounted on the rear facade, projecting or freestanding, but shall be limited to three (3) square feet in area.
- (11) In addition to other signage, restaurants and cafes shall be permitted the following, limited to one (1) sign per business:
 - [a] A wall-mounted display featuring the actual menu as used at the dining table, to be contained within a shallow wood or metal case and clearly visible through a glass front. The display case shall be attached to the building wall, next to the main entrance, at a height of approximately five (5) feet, shall not exceed a total area of two (2) square feet, and may be lighted during normal business hours.
 - [b] A sandwich board sign, as follows:
 - [i] The area of the signboard shall not exceed five (5) square feet.
 - [ii] The signboard shall be constructed of wood, chalkboard and/or finished metal.
 - [iii] Letters can be painted or handwritten.
 - [iv] The sign shall be located within four (4) feet of the main entrance to the business, and its location shall not interfere with pedestrian or vehicular circulation by leaving a minimum of four (4) feet of clearance on the sidewalk.
 - [v] The information displayed shall be limited to daily specials and hours of operation.
 - [vi] The sign shall be removed at the end of the business day.
 - [vii] The following schedule summarizes in matrix form how different types of signs can be associated.
- (12) Each business shall identify the number of its address within the signboard on a minimum of one (1) sign facing each street or parking lot.

D. Design standards for signs.

- (1) Signs affixed to the exterior of a building shall be architecturally compatible with the style, composition, materials, colors and details of the building, as well as with other signs used on the building or its vicinity. Refer to Illustration 56.
- (2) Signs shall fit within the existing facade features, shall be confined to signable areas, and shall not interfere with door and window openings, conceal architectural details or obscure the composition of the facade where they are located. Signs shall be placed on a facade only in a manner historically appropriate to the style of the building.

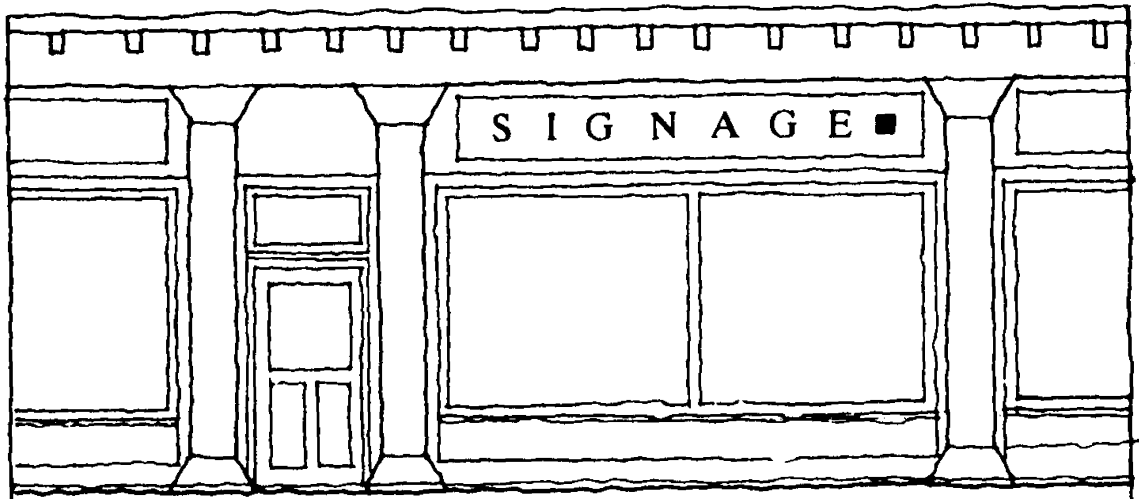


Illustration 56 — Signs should be architecturally compatible with a building's facade.

- (3) Whenever possible, signs located on buildings within the same block face shall be placed at the same height, in order to create a unified sign band.
- (4) Wood and painted metal are the preferred materials for signs. Flat signs should be framed with raised edges. Signs using wood shall use only high-quality exterior-grade wood with suitable grade finishes.
- (5) Sign colors should be compatible with the colors of the building facade. A dull or matte finish is recommended, for it reduces glare and enhances legibility.
- (6) Signs shall be either spotlighted or backlighted with a diffused light source. Spotighting shall require complete shielding of all light sources; light shall be contained within the sign frame and shall not significantly spill over to other portions of the building or site. Backlighting shall illuminate the letters, characters or graphics on the sign but not its background. Warm fluorescent bulbs may be used to illuminate the interior of display cases. Neon signs placed inside the display case shall insure low-intensity colors.

- (7) Signs shall be mounted so that the method of installation is concealed. Signs applied to masonry surfaces should be mechanically fastened to mortar joints only, and not directly into brick or stone. Drilling to provide electrical service should also follow the same rule.
3. Community/residential/center signs.
- A. Community banners. Community banners shall not be more than twenty-four (24) inches wide and forty-eight (48) inches high. Community banners shall be attached to street lamps and shall not encroach within the street cartway. The distance between finished grade and the sign shall be eight (8) feet.
 - B. Development sign:
 - (1) Principal entrance:
 - [a] Maximum area/surface (square feet): two (2) signs with a maximum of twenty (20) square feet or one (1) sign with a maximum of forty (40) square feet if a center sign is incorporated.
 - [b] Maximum height (feet): six (6).
 - [c] Minimum setback: ten (10) feet, and shall be located outside of any clear sight triangle.
 - [d] Number permitted: two (2) per principal entrance, provided one is located on either side of the road.
 - [e] Combined development/center sign.
 - [i] Individual tenant panels may be provided and shall be limited to five (5) square feet per panel with a maximum letter height of eight (8) inches. Tenants shall only be listed on one panel.
 - [ii] Such sign shall utilize a unified color scheme that is architecturally and thematically consistent with the design of the center.
 - [iii] External lighting is strongly encouraged. The source of such lighting shall be screened from view; ground-mounted lighting shall be screened with evergreen landscaping.
 - (2) Secondary entrance:
 - [a] Maximum area (square feet): Twelve (12).
 - [b] Maximum height (feet): six (6).
 - [c] Maximum setback: Ten (10).
 - [d] Number permitted: one (1) per each secondary access.

Township of Manheim

Table 1: Sign Matrix

KEY:

Y – Indicates a use is permitted to display the two signs in conjunction.

N – Indicates a use is not permitted to display the two signs in conjunction.

	Wall-Mounted	Wall-Mounted (side and rear entrances)	Applied Letters	Projecting	Painted Window w/ Door	Awning (1)	Directory (2)	Menu (3)	Sandwich Board (3)	Service Entrances	Freestanding	Directional
Wall-mounted	NA	Y	N	Y(6)	Y	N(4)	Y	Y	Y	Y	N(6)	Y
Wall-mounted (side and rear entrances)	Y	NA	Y	Y	Y	Y	Y	Y	Y	N	Y	N
Applied letters	N	Y	NA	Y	Y	N(4)	Y	Y	Y	Y	N	Y
Projecting	Y	Y	Y	NA	Y	Y	N	Y	Y	Y	N	Y
Painted window/door	Y	Y	Y	Y	NA	Y(5)	Y	Y	Y	Y	Y	Y
Awning (1)	N(4)	Y	N(4)	Y	Y(5)	NA	N	Y	Y	Y	Y	Y
Directory (2)	Y	Y	Y	N	Y	N	NA	Y	Y	Y	Y	Y
Menu (3)	Y	Y	Y	Y	Y	Y	Y	NA	Y	Y	Y	Y
Sandwich board (3)	Y	Y	Y	Y	Y	Y	Y	Y	NA	Y	Y	Y
Service entrances	Y	NA	Y	Y	Y	Y	Y	Y	Y	NA	Y	Y
Freestanding	N	Y	N	N	Y	Y	Y	Y	Y	Y	NA	Y
Directional	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	NA

NOTES: (1) Ground-floor uses only (2) Upper-floor uses only (3) Cafes and restaurants only (4) If awning is acting as main business sign (5) Valance awning sign only (6) Directional only

SECTION 1924. NEIGHBORHOOD DESIGN STANDARDS AND GUIDELINES

1. Buildings located at gateways entering the planned residential development shall mark the transition into and out of the neighborhood in a distinct fashion, using massing, additional height, contrasting materials and/or architectural embellishments to obtain this effect. Buildings located at gateways to a community green area or a Main Street shall mark the transition to such areas in a distinct fashion, using massing, additional height, contrasting materials and/or architectural embellishments to obtain this effect. Refer to Illustration 57.

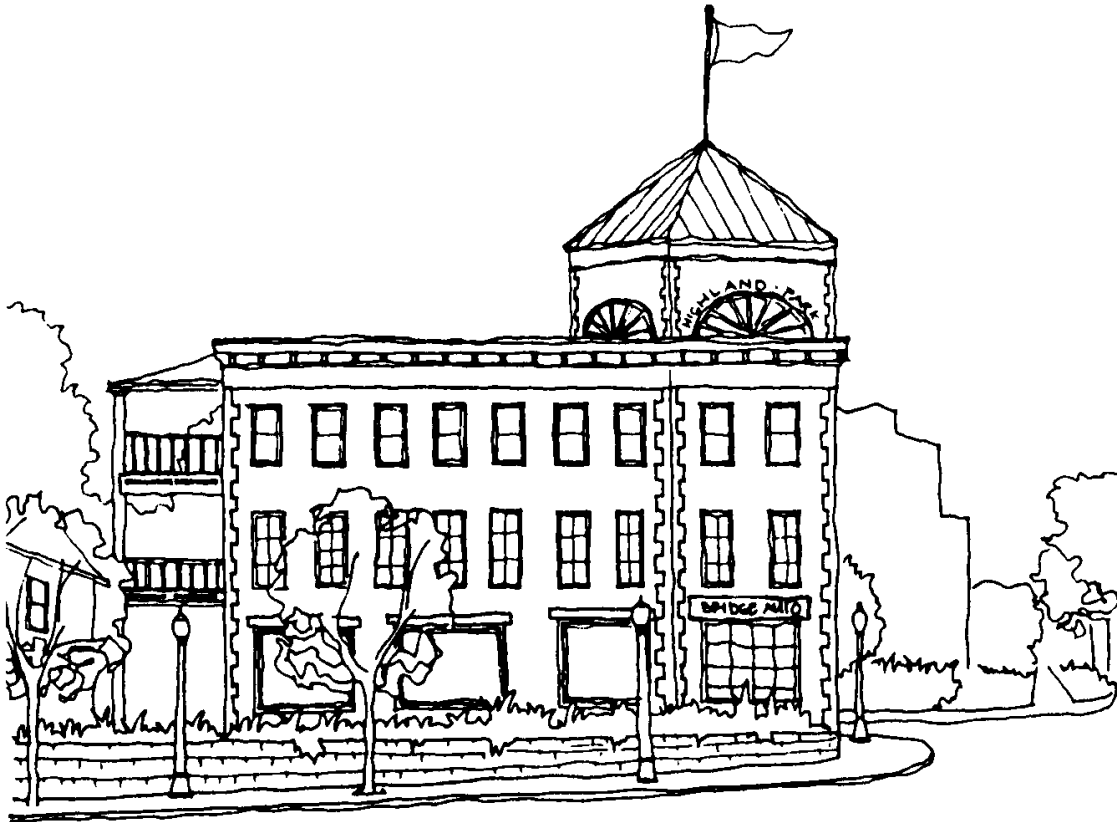


Illustration 57 — Gateway buildings should mark transition areas.

2. Focal points, or points of visual termination, shall generally be occupied by more prominent, monumental buildings and structures by virtue of enhanced height, massing, distinctive architectural treatments or other distinguishing features. Refer to Illustration 58.

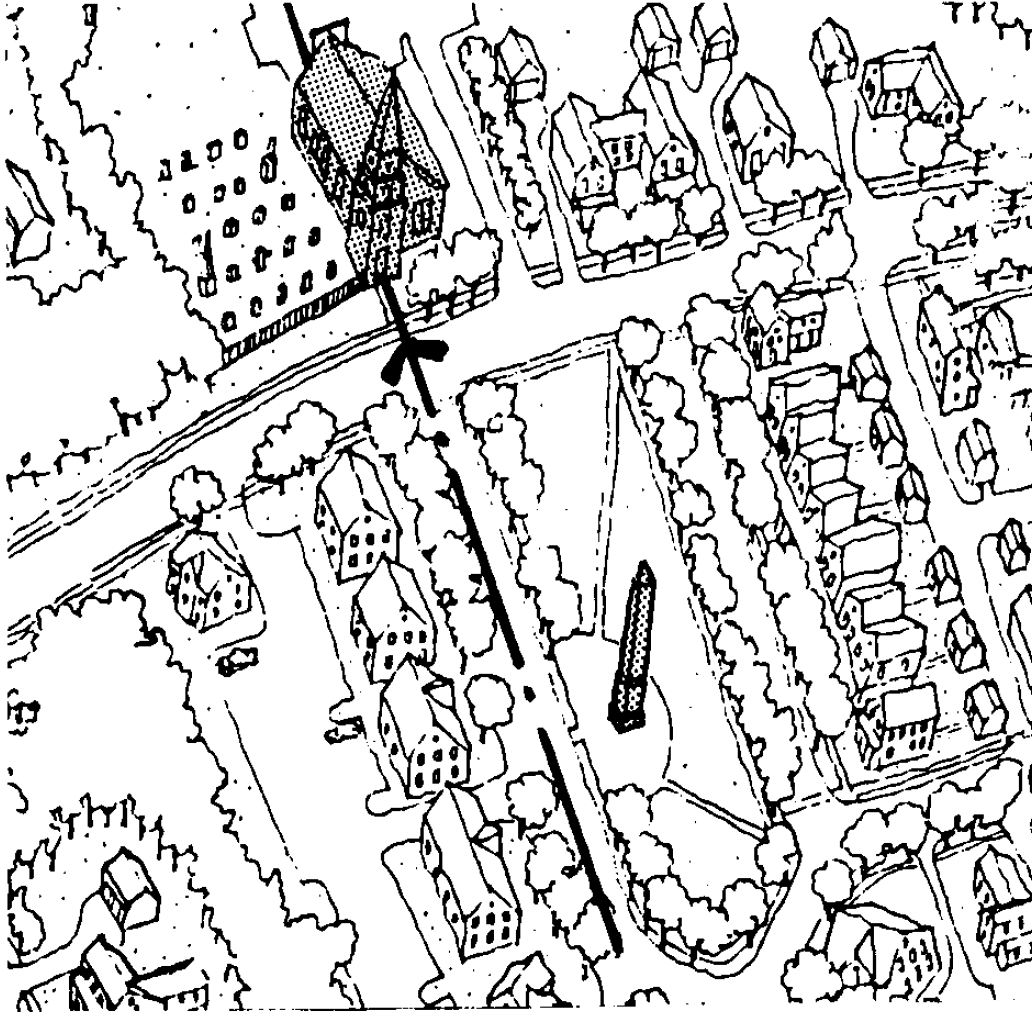


Illustration 58 — Focal points should terminate views down streets.

3. Buildings shall define the streetscape through the use of uniform setbacks along the build-to line for each block. The build-to line shall be generally continued across side yard setback areas between buildings by using landscaping. The streetscape shall also be reinforced by lines of closely planted street trees and may be further reinforced by walls, piers, hedges or fences which define front yards. Refer to Illustration 59.



Illustration 59 — Buildings should define the streetscape through uniform setbacks along the build-to line.

4. Exterior public and semipublic spaces, such as courtyards or plazas, shall be designed to be functional, to enhance surrounding buildings and provide amenities for users, in the form of textured paving, landscaping, lighting, street trees, benches, trash receptacles and other items of street furniture, as appropriate. Courtyards shall have recognizable edges defined on at least three sides by buildings, walls, elements of landscaping, and elements of street furniture, in order to create a strong sense of enclosure. Refer to Illustration 60.



Illustration 60 — Courtyards and plazas should be designed to enhance surrounding buildings.

5. Buildings shall be considered in terms of their relationship to the height and massing of adjacent buildings, as well as in relation to the human scale. Refer to Illustration 61.



Illustration 61 — Buildings should relate to the scale of adjacent buildings.

6. Buildings shall be located to front towards and relate to public or private streets or community greens, both functionally and visually, to the greatest extent possible. Buildings shall not be oriented to front toward a parking lot or alley. Refer to Illustration 62.

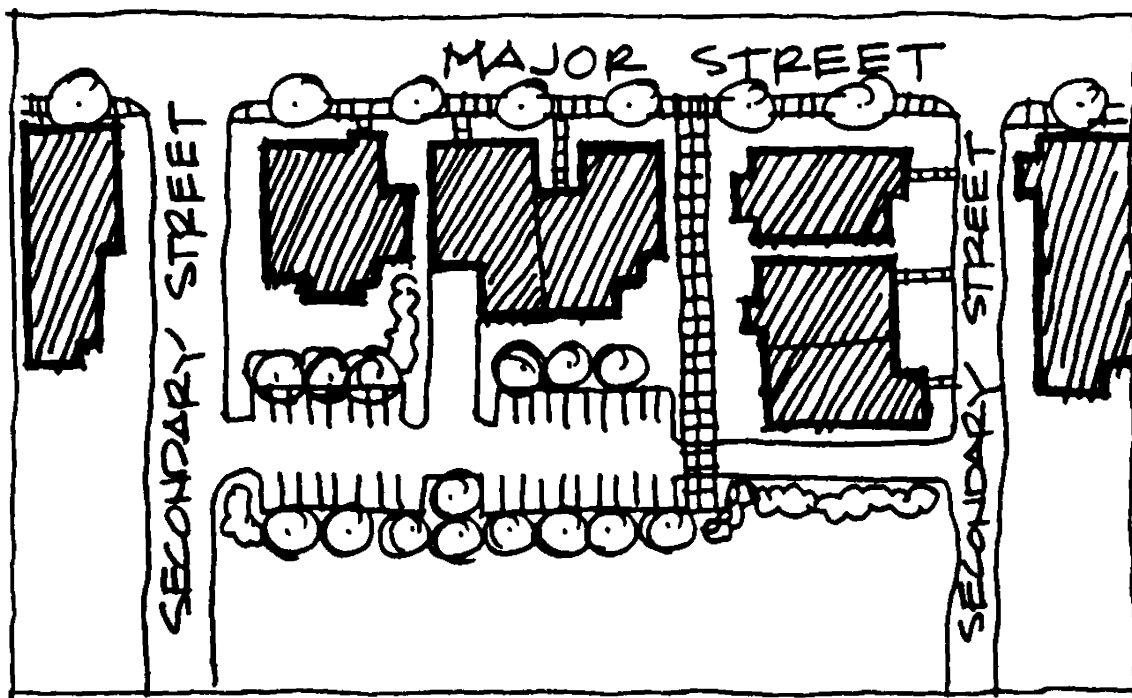


Illustration 62 — Buildings should be located to front upon the street.

7. Spatial relationships between buildings and other structures shall be geometrically logical and/or architecturally formal. On a lot with multiple buildings, buildings located on the interior of a site shall front towards and relate to one another, both functionally and visually. A lot with multiple buildings may be organized around features such as courtyards, greens or quadrangles, which encourage pedestrian activity and incidental social interaction among users. Smaller, individualized groupings of buildings are encouraged. Buildings shall be located to allow for adequate fire and emergency access. Refer to Illustration 63.

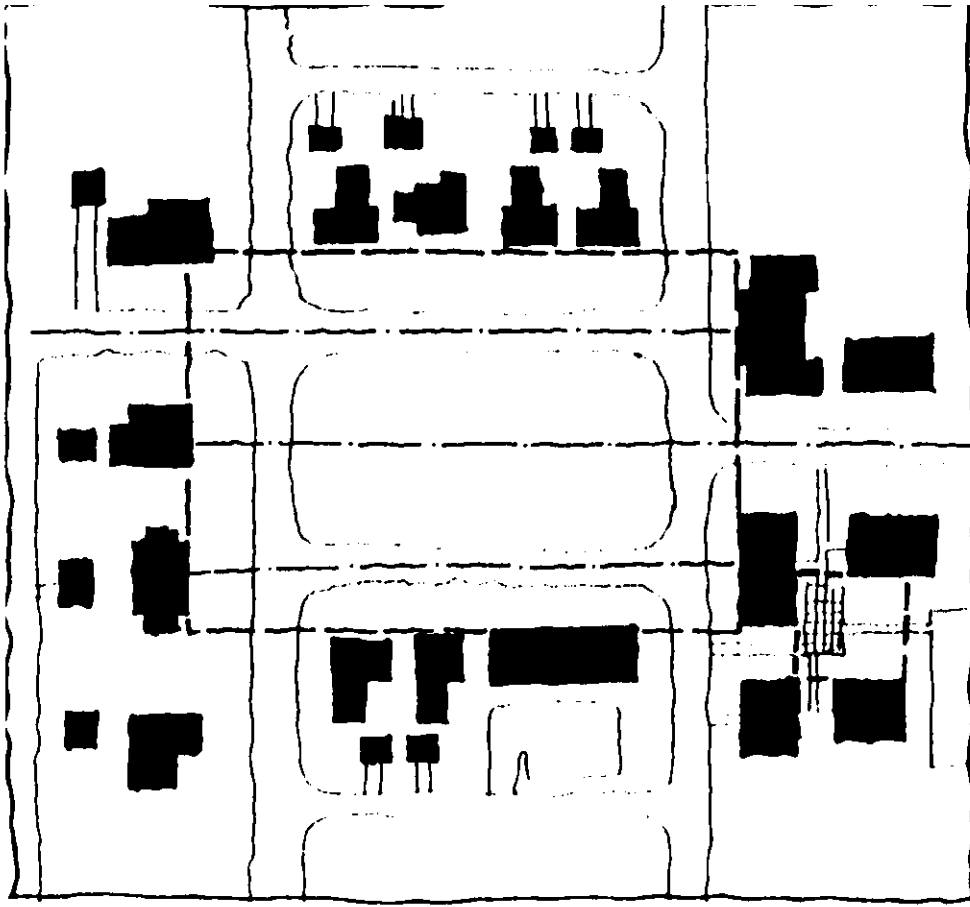


Illustration 63 — Spaces framed by buildings should be geometrically logical and/or architecturally formal.

8. The acoustic, thermal, visual and tactile properties of the paving materials proposed shall be appropriate to the proposed functions of pedestrian circulation. Modular masonry materials, such as brick, slate, and concrete pavers, or gridded cast-in-place materials, such as exposed aggregate concrete slabs, shall be used, whenever possible, on sidewalks, pedestrian walkways and pathways, and public or semipublic plazas, courtyards or open spaces. Asphalt, and nonaggregate exposed concrete slabs should be avoided. Refer to Illustration 64.



Illustration 64 — Textured paving materials should be used on sidewalks, plazas, courtyards and open spaces.

9. Walls and fences shall be architecturally compatible with the style, materials and colors of the principal building on the same lot. Stone walls or brick walls with a stone or cast-stone cap are encouraged. Wood fences and decorative metal or cast-iron fences and stone piers shall be encouraged. Solid wooden fences are permitted in rear and side yards only. Highway-style guardrail, stockade or contemporary security fencing such as barbed wire or razor wire shall be prohibited. Refer to Illustration 65.



Illustration 65 — Walls and fences should be architecturally compatible with buildings.

SECTION 1925. LANDSCAPING

1. Extensive landscaping shall be required in accordance with a plan conceived for the planned residential development as a whole. All areas of a site not occupied by buildings, parking lots, other improvements or textured paving shall be intensively planted with trees, shrubs, hedges, ground covers and/or grasses, unless such area consists of attractive existing vegetation to be retained. Perennials and annuals are encouraged. Plant materials shall predominantly consist of native species. No invasive species shall be permitted.
2. Landscaping shall be integrated with other functional and ornamental site design elements, where appropriate, such as recreational facilities, ground paving materials, paths and walkways, fountains and other water features, trellises, pergolas, gazebos, fences and walls, street furniture, art and sculpture.
3. Plant suitability, maintenance and compatibility with site and construction features are critical factors. Preserving existing vegetation is strongly encouraged, particularly native species. Plantings shall be designed with repetition, structured patterns, complimentary textures and colors and shall reinforce the overall character of the area.
4. Landscaping plans shall be prepared by a certified professional in the field of landscape architecture and registered in the Commonwealth of Pennsylvania.

SECTION 1926. STREET TREES

1. Street trees shall be provided along each side of all streets, public or private, existing or proposed in the designated planting strips in accordance with Section 1914. Street trees shall also be massed at critical points, such as at focal points along a curve in the roadway, in common open spaces, and at prominent gateways. Existing vegetation shall be used where feasible. In locations where healthy and mature street trees currently exist, the requirements for new trees may be waived or modified. Refer to Illustration 66.



Illustration 66 — Street trees should be provided along both sides of the streets.

2. Street trees shall have a minimum caliper of two (2) to two and one half (2 1/2) inches at time of planting. Tree spacing shall be based on the appropriate minimum spacing standards specified for an individual tree species, with a minimum spacing of forty (40) feet on center. Street trees shall be installed a minimum of two and one half (2 1/2) feet from the curb.
3. Careful coordination of tree placement, lighting, and parked vehicles shall prevent blocked lighting patterns and access to car doors. Tree placement is subject to existing locations of underground utilities.
4. The particular species of street trees shall be determined upon specific location requirements. The following urban tolerant street trees or an approved equal are recommended in a planned residential development:

Scientific Name	Common Name
Acer rubrum	Red maple
Carpinus caroliniana	American hornbeam
Gleditsia triacanthos (inermis)	Thornless honey locust
Liquidambar styraciflua 'rotundiloba'	Fruitless sweetgum
Nyssa sylvatica	Black tupelo
Ostrya virginiana	American hophornbeam
Platanus x acerifolia	London planetree
Quercus imbricaria	Shingle oak
Quercus rubra	Red oak
Zelkova serrata	Japanese zelkova

5. Street trees shall not be planted within five (5) feet of access drives, bus stops, fire escape balconies, where blockage to building entrances present safety concerns, fire hydrants and other permanent streetscape furnishings or within twenty-five (25) feet of existing trees..
6. Each block shall include at least two tree species, or an approved equal.

SECTION 1927. LIGHTING

1. Streets and sites shall provide adequate lighting while minimizing adverse impacts, such as glare and overhead sky glow, on adjacent properties and the public right-of-way. House side shields shall be provided where abutting a residential use.
2. Decorative acorn street lighting, or approved equal, not exceeding sixteen (16) feet in height shall be placed along all streets, parking areas, sidewalks, walkways, courtyards, community greens and interior spaces at locations approved by the Township. Lighting fixtures and poles shall be constructed from steel, cast iron or aluminum, with poles and fixtures as specified. Lighting fixtures and poles shall be of consistent architectural style throughout the zone and shall complement the predominant architectural theme. Refer to Illustration 67.
3. Low-level lighting shall be provided and shall be provided in accordance with the current adopted International Electric Conservation Code.



Illustration 67 — Decorative lampposts should be used along all streets, parking areas, sidewalks, walkways, courtyards, community greens and internal open spaces.

SECTION 1928. STREET FURNITURE

Elements of street furniture, such as benches, waste containers, planters, bus shelters, bicycle racks and bollards, should be carefully selected to ensure compatibility with the architecture of surrounding buildings, the character of the area and with other elements of street furniture. Consistency in the selection and location of the various elements of street furniture is critical for maximum effect and functional usage.

SECTION 1929. ARCHITECTURAL DESIGN STANDARDS AND GUIDELINES

1. Buildings shall generally relate in scale and design features to other surrounding buildings, showing respect for local context. As a general rule, buildings shall reflect a continuity of treatment obtained by maintaining building scale or by subtly graduating changes in scale; by maintaining front yard setbacks at the build-to line; by maintaining base courses; by continuous use of front porches on residential buildings; by maintaining cornice lines in buildings of the same height; by extending horizontal lines of fenestration; and by echoing architectural styles and details, design themes, building materials, and colors used in surrounding buildings. Refer to Illustration 68.

2. Buildings on corner lots shall be considered more significant structures, since they have at least two primary facades visibly exposed to the street. If deemed appropriate by the Board of Commissioners, such buildings may be designed with additional height and architectural embellishments, such as corner towers, relating to their location. Refer to Illustration 69.



Illustration 68 — Buildings should respect local context and relate in scale and design features to surrounding buildings.



Illustration 69 — Corner buildings should be designed as more significant structures relating to their prominent location.

3. Buildings shall avoid long, monotonous, uninterrupted wall or roof planes. Building wall offsets, including both projections and recesses, and changes in floor level shall be used in order to add architectural interest and variety and relieve the visual effect of a single, long wall. Similarly, roofline offsets shall be provided in order to provide architectural interest and variety to the massing of a building and relieve the effect of a single, long roof. The exterior of townhouses or apartments may be designed to appear as a single building, such as a large single-family detached dwelling. Refer to Illustration 70.
4. The primary facade of a building facing a public street or internal open space shall be architecturally emphasized through fenestration, entrance treatment and details. Buildings with more than one facade facing a public street or internal open space shall be required to provide several primary facade treatments. Refer to Illustration 71.



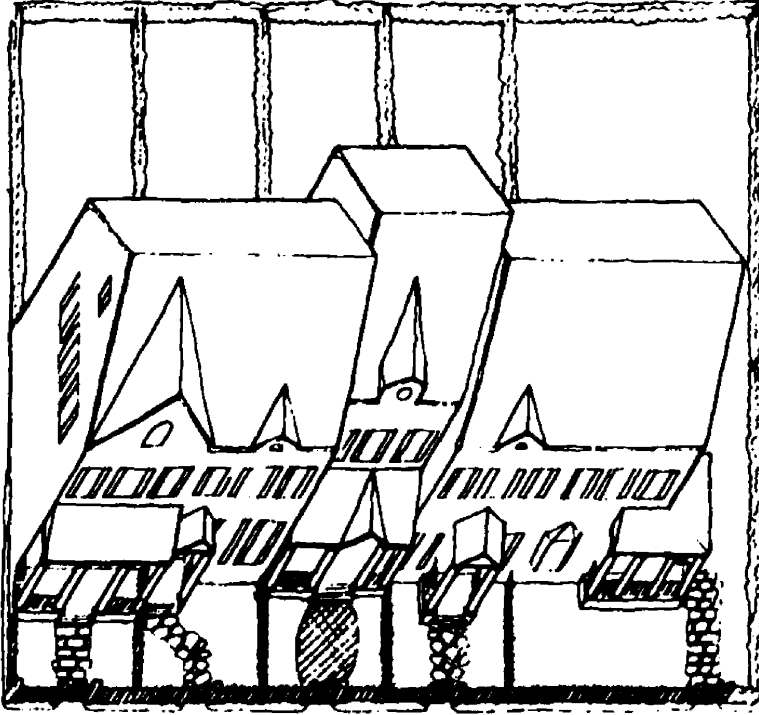


Illustration 70 — Long building walls and rooflines should be offset to provide interest and variety. The photograph illustrates building wall offsets in the Village of Lititz, Pennsylvania.

5. The architectural treatment of the primary facade shall be continued, in its major features, around all visibly exposed sides of a building. All sides of a building shall be architecturally designed to be consistent with regard to style, materials, colors, and details. Blank wall or service area treatment of side and/or rear elevations visible from the public viewshed is discouraged. Refer to Illustration 72.

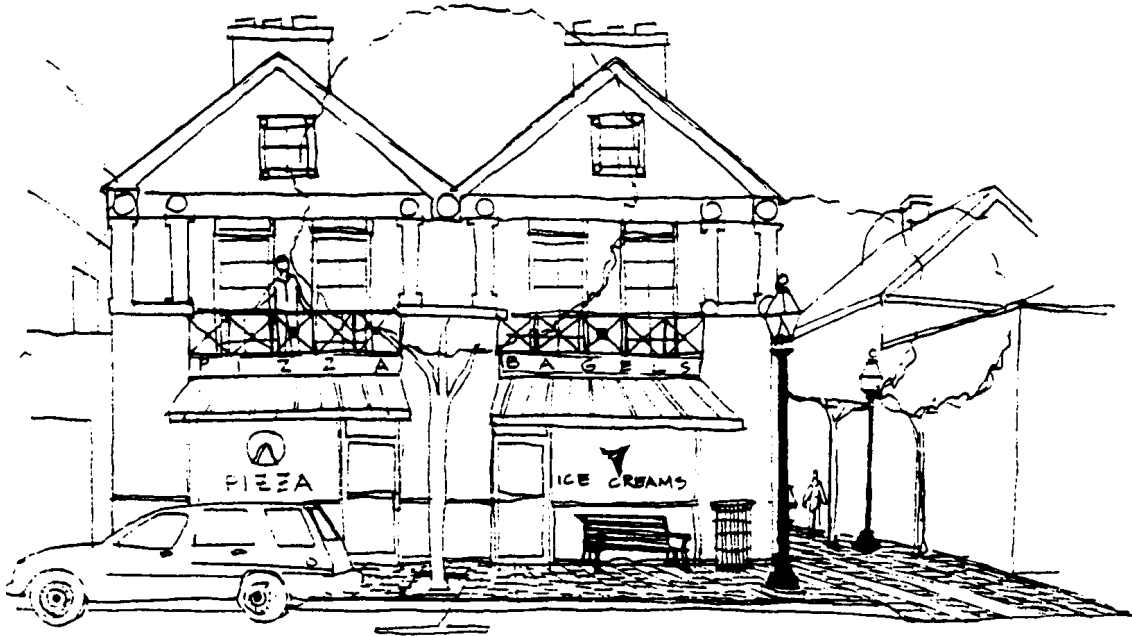


Illustration 71 — Primary facades of buildings should be architecturally emphasized.



Illustration 72 — All sides of a building should be architecturally consistent with the front of the facade.

6. All visibly exposed sides of a building shall have an articulated base course and cornice. The base course shall align with either the kickplate or sill level of the first story. The cornice shall terminate or cap the top of a building wall and may project out horizontally from the vertical building wall plane and may be ornamented with moldings, brackets and other details. The middle section of a building may be horizontally divided at floor, lintel, or sill levels with belt or string courses. Refer to Illustration 73.
7. Gable roofs with a minimum pitch of nine twelfths (9/12) shall be used to the greatest extent possible. Where hipped roofs are used, it is recommended that the minimum pitch be six twelfths (6/12). Both gable and hipped roofs should provide overhanging eaves on all sides that extend a minimum of one (1) foot beyond the building wall, but shall not extend into any street right-of-way. Flat roofs should be avoided on one (1) story buildings and are recommended on buildings of a minimum of two (2) stories in height, provided all visibly exposed walls have an articulated cornice that projects out horizontally from the vertical building wall plane. Other types of roofs should be appropriate to the building's architecture. Mansard roofs are generally discouraged on buildings less than three (3) stories in height. Architectural embellishments that add visual interest to roofs, such as dormers, belvederes, masonry chimneys, cupolas, clock towers and other similar elements, are encouraged. Refer to Illustration 74.



Illustration 73 — Buildings should be designed with a base course and cornice.



Illustration 74 — Gable roofs with a minimum nine twelfths (9/12) pitch should be used to the greatest extent possible. Other types of roofs should be appropriate to a building's architectural style.

8. Fenestration shall be architecturally compatible with the style, materials, colors and details of a building. Windows shall be vertically proportioned wherever possible. To the extent possible, the location of windows on the upper stories of a building shall be vertically aligned with the location of windows and doors on the ground level, including storefronts or display windows. Refer to Illustration 75.



Illustration 75 — Type and location of windows should be appropriate to a building's architectural style.

9. Blank, windowless walls are prohibited, unless the construction of a blank wall is necessitated by local building codes. Such wall should be articulated by the provision of blank window openings trimmed with frames, sills and lintels, or by using recessed or projecting display window cases if the building is occupied by a commercial use. Intensive landscaping may also be appropriate in certain cases. Refer to Illustration 76.



Illustration 76 — Blank, windowless walls should be articulated in order to reduce the negative effects of such walls.

10. All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades and others, where appropriate. Any such element utilized shall be architecturally compatible with the style, materials, colors and details of the building as a whole, as shall the doors. Refer to Illustration 77.

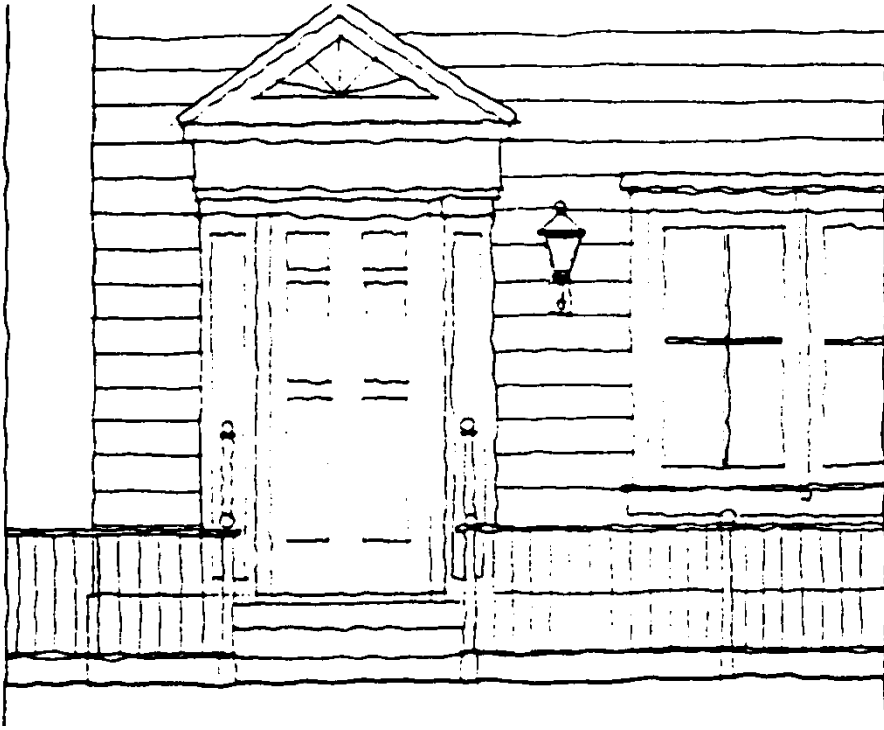


Illustration 77 — Entrances to buildings should be architecturally defined and articulated.

11. In mixed-use buildings, differences between ground-floor commercial uses and entrances for upper-level commercial or apartment uses shall be reflected by differences in facade treatment. Storefronts and other ground-floor entrances shall be accentuated through cornice lines. Further differentiation can be achieved through distinct but compatible exterior materials, signs, awnings, and exterior lighting. Refer to Illustration 78.



Illustration 78 — Ground-floor commercial uses should be differentiated by facade treatment.

12. Storefronts are an integral part of a building and shall be integrally designed with the upper floors of a building to be compatible with the overall character of the facade. Ground-floor retail, service and restaurant uses shall have large-pane display windows on the ground level. Such windows shall be framed by the surrounding wall and shall not exceed seventy-five (75) percent of the total ground-level facade area. Buildings with multiple storefronts shall be unified through the use of architecturally compatible materials, colors, details, awnings, signage, and lighting fixtures. Refer to Illustration 79.



Illustration 79 — Storefronts should be integrally designed as part of the entire facade. Buildings with multiple storefronts should be architecturally compatible.

13. Fixed or retractable awnings are permitted at ground-floor level, and on upper levels where appropriate, provided they complement a building's architectural style, are compatible with its materials, colors and details, do not conceal architectural features, such as cornices, columns, pilasters or decorative details, do not impair facade composition, and are designed as an integral part of the facade. Canvas is the preferred material, although other waterproofed fabrics may be used. Metal or aluminum awnings are prohibited. In buildings with multiple storefronts, compatible awnings should be used as a means of unifying the structure. Refer to Illustration 80.



Illustration 80 — Awnings may be used to complement a building's architectural style.

14. Light fixtures attached to the exterior of a building shall be architecturally compatible with the style, materials, colors and details of the building and shall comply with local building codes. The type of light source used on the exterior of buildings, signs, parking areas, pedestrian walkways and other areas of a site, and the light quality produced, shall be the same or compatible. Facades shall be lit from the exterior and, as a general rule, lights should be concealed through shielding or recessed behind architectural features. The use of low-pressure sodium, high-pressure sodium, metal halide, fluorescent or mercury vapor lighting either attached to buildings or to light the exterior of buildings shall be prohibited. Mounting brackets and associated hardware should be inconspicuous. Refer to Illustration 81.

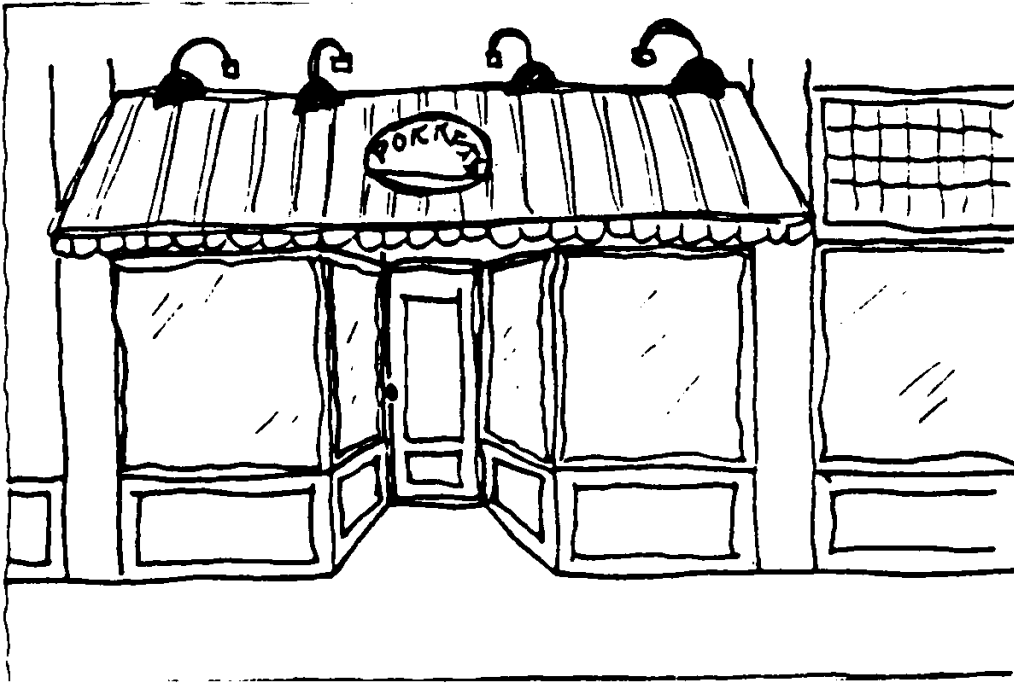


Illustration 81 — Lighting fixtures attached to a building should be architecturally compatible with the facade of the building.

15. All air-conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing and satellite dishes and other telecommunications-receiving devices shall be thoroughly screened from view from the public right-of-way and from adjacent properties by using walls, fencing, roof elements, penthouse-type screening devices or landscaping.
16. Fire escapes shall not be permitted on a building's primary facade. In buildings requiring a second means of egress pursuant to the local building codes, internal stairs or other routes of egress shall be used.
17. Solid metal security gates or solid roll-down metal windows shall not be permitted. Link or grill-type security devices shall be permitted only if installed from the inside, within the window or door frames, or, if installed on the outside, if the coil box is recessed and concealed behind the building wall. Security grilles shall be recessed and concealed during normal business hours. Models which provide a sense of transparency, in light colors, are encouraged. Other types of security devices fastened to the exterior walls shall not be permitted.
18. All materials, colors and architectural details used on the exterior of a building shall be compatible with the building's style, as well as with each other. A building designed of an architectural style that normally includes certain integral materials, colors and/or details shall incorporate such into its design. Where appropriate to the architectural style of a building, shutters shall be provided on all windows fronting a street or visible from the public right-of-way. Shutters shall be proportioned to cover 1/2 the width of the window.

SECTION 1930. SUBMISSION OF SKETCH PLAN

1. The applicant shall submit a sketch plan to the Township Planning Commission for preliminary discussion of intent.
2. The Planning Commission shall review the sketch plan at a Planning Commission meeting with the applicant and, by mutual agreement, determine a sketch plan which conforms with the intent of this article. The applicant may then proceed with the preparation of the development plan for conditional use submittal.
3. The submission of a sketch plan shall not be deemed the beginning of the time period for review as prescribed by law, and the review of the sketch plan by the Planning Commission shall not bind the Township to approve the application for conditional use, tentative or final approval.

SECTION 1931. APPLICATION FOR TENTATIVE APPROVAL

1. Ten (10) complete copies of an application for tentative approval for a planned residential development in accordance with Section 1936 shall be submitted by the landowner to the Township Manager-Secretary. The landowner shall also submit a filing fee to the Township in an amount specified on the fee schedule adopted from time to time by resolution of the Board of Commissioners. No plan shall be considered as properly filed until such time as the filing fee is submitted to the Township.
2. Each copy of the application for tentative approval shall include the following four (4) parts:
 - A. Part A: application form.
 - B. Part B: site maps, profiles, cross sections, and architectural drawings.
 - C. Part C: declaration of covenants, grants of easements, conditions, and restrictions.
 - D. Part D: supporting information report.
3. The complete copies of the application for tentative approval will be distributed as follows:
 - A. One (1) copy shall be forwarded to the Board of Commissioners;
 - B. One (1) copy shall be forwarded to the Township Planning Commission;
 - C. One (1) copy shall be forwarded to the Township Solicitor;
 - D. One (1) copy shall be forwarded to the Township Engineer;
 - E. One (1) full-size copy and one (1) reduced-size (11 x 17) copy shall be forwarded to the Planning Department;
 - F. One (1) copy shall be forwarded to Zoning Department;
 - G. One (1) copy shall be forwarded to the Township Police Chief;
 - H. One (1) copy shall be forwarded to the Township Fire Chief;
 - I. One (1) copy may be forwarded to the Public Works Department; and
 - J. One (1) copy may be forwarded to the Township Building Code Department.

4. Within sixty (60) days after the Township receives both an application for tentative approval of a planned residential development and the required filing fee, a public meeting or public hearing, whichever is required, shall be held by the Board of Commissioners, which shall be advertised, conducted and made a record in the manner prescribed herein.
 - A. Public notice of the public hearing scheduled on a planned residential development shall be published once a week for two (2) successive weeks in a newspaper of general circulation in the Township, the first publication to appear not more than thirty (30) days and the second publication shall not be less than seven (7) days prior to the date of the hearing. Such public notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing.
 - B. The public hearing shall be conducted in accordance with Article IX of the MPC.
 - C. The Board of Commissioners may continue the public hearings from time to time and may refer the matter back to the Planning Commission for additional study and report; provided, however, that, in any event, the public hearing or hearings shall be concluded within sixty (60) days after the date of the first public hearing.
5. The Board of Commissioners, within sixty (60) days following the conclusion of the public hearings, shall, by official written communication to the landowner, either:
 - A. Grant tentative approval of the development plan as submitted;
 - B. Grant tentative approval subject to specified conditions not included in the development plan as submitted; or
 - C. Deny tentative approval of the development plan. Failure to so act within said period shall be deemed to be a grant of tentative approval of the development plan as submitted.
6. The grant or denial of tentative approval by official written communication shall include not only conclusions but also findings of fact related to the specific proposal and shall set forth the reasons for the grant, with or without conditions, or for the denial. The written communication shall set forth with particularity in what respects the development plan would or would not be in the public interest, including but not limited to findings of fact and conclusions on the following:
 - A. The extent to which the development plan departs from this ordinance and the Subdivision and Land Development Ordinance, as applicable, including but not limited to density, bulk and use, and the reasons why such departures are or are not deemed to be in the public interest;
 - B. The extent to which the development plan is or is not consistent with the Comprehensive Plan for the development of the Township or with the objectives of this article;

- C. The purpose, location and amount of the common open space, the reliability of the proposals for ownership, administration, maintenance and conservation of common open space, and the adequacy or inadequacy of the amount and purpose of the common open space as related to the proposed density and type of residential development;
 - D. The physical design of the development plan and the manner in which the design does or does not make adequate provisions for public services, provide adequate control over vehicular traffic, and further the amenities of light and air, recreation and visual enjoyment;
 - E. The relationship, beneficial or adverse, of the proposed planned residential development to the neighborhood in which it is proposed to be established;
 - F. In the case of a development plan which proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interests of the public and of the residents of the planned residential development in the integrity of the development plan;
 - G. The extent to which the original intent of the development plan is made clear for the benefit of future Township officials and future residents of the planned residential development, in the protective covenants which shall be imposed for the preservation of the integrity of the development plan over the years, and through various stages of development where such are contemplated.
7. In the event a development plan is granted tentative approval, with or without conditions, the Board of Commissioners may set forth in the official written communication the time within which an application for final approval of the development plan shall be filed or, in the case of a development plan which provides for development over a period of years, the periods of time within which applications for final approval of each part thereof shall be filed. Except upon the consent of the landowner, the time so established between the grant of tentative approval and the application for final approval shall not be less than three months, and, in the case of developments over a period of years, the time between applications for final approval of each part of the plan shall not be less than 12 months.
 8. The official written communication shall be certified by the Township Manager-Secretary and shall be filed in his office, and a certified copy shall be mailed to the landowner. Where tentative approval has been granted, it shall be deemed an amendment to the Zoning Map, effective upon final approval, and shall be noted on the Zoning Map.
 9. In the event the planned residential development is granted tentative plan approval subject to conditions, the landowner may, within thirty (30) days after receiving a copy of the official written communication from the Board of Commissioners, notify the Board of Commissioners of his refusal to accept all required conditions, in which case the Board of Commissioners shall be deemed to have denied tentative approval of the development plan. In the event the landowner does not, within thirty (30) days, notify the Board of Commissioners of his refusal to accept all said conditions, tentative approval of the development plan, along with any conditions, shall stand as granted.
 10. Tentative approval of a development plan shall not qualify a plan of the planned residential development for recording nor authorize construction or the issuance of any zoning and/or building permits. A development plan which has been given tentative approval as submitted, or which has

been given tentative approval with conditions which have been accepted by the landowner (provided the landowner has not defaulted or violated any of the conditions of the tentative approval), shall not be modified or revoked or otherwise impaired by action of the Township pending application for final approval without the consent of the landowner, provided an application or applications for final approval is filed or, in the case of development over a period of years, provided applications are filed, within the periods of time specified in the official written communication granting tentative approval.

11. In the event a development plan is given tentative approval and thereafter, but prior to final approval, the landowner shall elect to abandon the development plan and shall so notify the Board of Commissioners in writing, or in the event the landowner shall fail to file application or applications for final approval within the required period of time or times, as the case may be, the tentative approval shall be deemed to be revoked, and all that portion of the area included in the development plan for which final approval has not been given shall be subject to those ordinances otherwise applicable thereto as they may be amended from time to time, and the same shall be noted on the Zoning Map and in the records of the Township Manager-Secretary.

SECTION 1932. APPLICATION FOR FINAL APPROVAL

1. An application for final approval may be for all the land included in the development plan or for a section of the development plan as delineated in the tentative approval.
2. Ten (10) complete copies of an application for final approval in accordance with Section 1932 shall be submitted by the landowner to the Township Manager-Secretary within the time specified by the official written communication granting tentative approval. The landowner shall also submit a filing fee to the Township in an amount specified on the fee schedule adopted from time to time by resolution of the Board of Commissioners. No plan shall be granted final approval until such time as the filing fee is properly submitted to the Township.
3. Each copy of the application for final approval shall consist of the following:
 - A. All materials and information required for submission for the application for tentative approval;
 - B. All additional or revised materials required by the official written communication granting tentative approval;
 - C. All improvement agreements and security for construction of all improvements that may be required by the Board of Commissioners.
4. The complete copies of the application for final approval shall be distributed in accordance with Section 1931.3.

5. In the event an application for final approval has been filed as required by this article and the official written communication granting tentative approval, the Board of Commissioners, within forty-five (45) days after the Township receives the application, shall grant the development plan final approval.
6. A public hearing on an application for final approval shall not be required, provided the development plan submitted for final approval is in compliance with this article and the official written communication granting tentative approval.
7. In the event the development plan as submitted contains variations from the development plan given tentative approval, the Board of Commissioners may refuse to grant final approval and, within forty-five (45) days from the filing of the application for final approval, shall so advise the landowner in writing of its refusal, setting forth in the notice the reasons why one or more of the variations are not in the public interest.
8. In the event an application for final approval is denied approval, the landowner may either refile the application for final approval without the variations objected to or file a written request with the Board of Commissioners that it hold a public hearing on his application for final approval. If the landowner wishes to take either action, he may do so at any time within which he is entitled to apply for final approval, or within thirty (30) additional days if the time for applying for final approval shall have already passed at the time when the landowner was advised that the development plan was not in substantial compliance. In the event the landowner shall fail to take either of these alternate actions within the required time, he shall be deemed to have abandoned the development plan.
9. Any public hearing on an application for final approval granted by the Board of Commissioners shall be held pursuant to public notice within thirty (30) days after request for the hearing is made by the landowner, and the hearing shall be conducted in the manner prescribed herein for public hearings on applications for tentative approval.
10. The Board of Commissioners, within thirty (30) days following the conclusion of the public hearings, shall, by official written communication, either:
 - A. Grant the development plan final approval; or
 - B. Deny the development plan final approval.
11. The grant or denial of final approval of the development plan shall, in cases arising under this section, be in the form and contain the findings required for an application for tentative approval set forth herein.

SECTION 1933. RECORDING OF PLAN; ABANDONMENT OF PLAN; FAILURE TO COMPLY WITH TIME RESTRICTIONS

1. A development plan which has been granted final approval shall be certified without delay by the Board of Commissioners as being approved; provided, however, no development plan shall be certified unless security to secure the completion of improvements in accordance with Article V of the MPC has been posted. The applicant shall provide the Township an electronic version of the approved development plan on CD prior to recording.

2. Within ninety (90) days after certification by the Board of Commissioners of final approval of the development plan, the plan shall be filed and recorded by the landowner in the office of the Recorder of Deeds of Lancaster County.
3. No sale of lots or buildings, leasehold agreements, or construction of any buildings or development of any nature shall be permitted prior to recording of the approved development plan. The Zoning Officer shall not issue a permit unless the application for the permit is accompanied by a certificate of recording issued by the Recorder of Deeds.
4. In the event a development plan or section thereof is given final approval and thereafter the landowner shall abandon the plan or section thereof and shall notify the Board of Commissioners in writing or the landowner shall fail to commence and carry out the planned residential development in accordance with the time provisions stated in Section 508 of the MPC, no development or further development shall take place on the property included in the development plan until after the property is reclassified by enactment of an amendment to this ordinance in the manner prescribed for such amendments in Article VI of the Pennsylvania Municipalities Planning Code.

SECTION 1934. CONSTRUCTION, DEDICATION AND MAINTENANCE OF IMPROVEMENTS

1. After the landowner obtains the required permits in accordance with this ordinance and with the Township Building Code and other applicable Township ordinances, he may proceed with construction of the planned residential development.
2. The Township shall inspect the improvements which are installed as part of the planned residential development in accordance with the provisions of Article V of the Pennsylvania Municipalities Planning Code and the Subdivision and Land Development Ordinance, this ordinance, and the Stormwater Management Ordinance.
3. The Board of Commissioners shall release financial security which has been posted to secure the completion of improvements in accordance with the requirements of Article V of the Pennsylvania Municipalities Planning Code and the Subdivision and Land Development Ordinance.
4. All required improvements which have been offered for dedication shall be deemed to be private until such time as the improvements have been completely constructed and accepted by resolution or ordinance of the Board of Commissioners.

SECTION 1935. SKETCH PLAN REQUIREMENTS

1. The sketch plan may be an approximate drawing, but should generally be drawn to a reasonable scale, typically either fifty (50) or one hundred (100) feet to the inch.
2. The sketch plan shall contain at least the following information, but need not necessarily show precise dimensions:
 - A. The location, size and topography of the site and the nature of the landowner's interest in the land proposed to be developed.
 - B. The intensity of land use to be allocated to various parts of the site, as well as the number of dwelling units contemplated.
 - C. The general location and size of the common open space and the form of organization proposed to own and maintain the common open space if the intent is not to dedicate.

- D. The use and approximate location, height and bulk of buildings and other structures.
- E. A written statement of a qualified professional concerning the feasibility of proposals for sewerage, water supply, and stormwater management.
- F. The substance of protective covenants, grants or easements or other restrictions intended to be imposed upon the land or the use of the land, buildings and other structures, including proposed easements or grants for public utilities.
- G. The provisions to be made for parking of vehicles and the location, width and general alignment of streets and public ways.
- H. The required modifications in the Township regulations which would otherwise be applicable to the subject property.
- I. In the case of development plans which call for execution over a period of years, an approximate schedule within which applications for final approval of all sections of the planned residential development may be expected to be filed.
- J. The approximate tract boundary, North point, names of adjoining property owners, names and locations of all abutting streets and utilities, and the location of any significant topographical and physical features.

SECTION 1936. REQUIREMENTS FOR APPLICATION FOR TENTATIVE APPROVAL

1. Part A: application form. The application for approval of a planned residential development, supplied by the Township, shall be completed by the landowner or his agent.
2. Part B: site maps, profiles, cross sections, and architectural drawings. Each map, plan and drawing shall be prepared by a professional engineer, surveyor, landscape architect or architect registered in the Commonwealth of Pennsylvania, who shall place his seal and signature on all applicable plans, maps, and drawings.
 - A. Site plans shall be drawn on sheets having a minimum sheet size of eighteen (18) inches by twenty-two (22) inches and a maximum sheet size of twenty-four (24) inches by thirty-six (36) inches and shall be at a scale of ten (10) feet, twenty (20) feet, thirty (30) feet, forty (40) feet, fifty (50) feet, sixty (60) feet or one hundred (100) feet to the inch. One (1) reduced-size site plan shall be submitted with a sheet size of eleven (11) inches by seventeen (17) inches. The landowner should utilize the scale and plan format which presents the most readable plans. Site plans may consist of multiple sheets if a key map showing the relationship of each sheet to the overall site plan is placed on all of the multiple sheets. Site plans shall show:
 - (1) The project name or identifying title.
 - (2) The name and address of the landowner of the tract, the developer, and the firm that prepared the plans.

- (3) The file or project number assigned by the firm that prepared the plan, the plan date, and the dates of all plan revisions.
- (4) A North arrow, a graphic scale, and a written scale.
- (5) The entire tract boundary, with bearings and distances, and identification of all corner markers.
- (6) A location map, for the purpose of locating the site to be subdivided or developed, at a minimum scale of two thousand (2,000) feet to the inch, showing the relation of the tract to adjoining property and to all streets, municipal boundaries and streams existing within one thousand (1,000) feet of any part of the property proposed to be developed.
- (7) The plotting of all existing adjacent land uses and lot lines within two hundred (200) feet of the proposed development, including the location of all public and private streets, drives, or alleys, railroads, power lines, gaslines, towers, easements, embankments, walls, streams and watercourses, buildings and other structures, fences and walls, all residential and nonresidential land uses, sewer mains, water mains, fire hydrants, storm drainage structures, historic sites as listed in the Manheim Township Historic Sites Survey, and other significant natural or man-made features.
- (8) The names of all immediately adjacent landowners and the names and plan book numbers of all previously recorded plans for adjacent projects.
- (9) Contours at a minimum vertical interval of two feet, location of bench mark, and datum used.
- (10) The delineation of one-hundred-year floodplains.
- (11) The delineation of all soil types as indicated by the USDA Natural Resources Conservation Service Soil Survey of Lancaster County.
- (12) An environmental analysis map(s) showing and identifying the location of unique landforms or natural features (such as hills, berms, knolls, mounds, swales, bowls, depressions, rock outcroppings or scenic views), areas exceeding twelve (12) percent slope, type of bedrock and its associated environmental characteristics affecting the tract to be type of soils and their associated environmental characteristics (such as depth to seasonal high-water table, depth to bedrock, erodibility and permeability), watercourses or bodies of water, floodplains, wetlands or other hydrologic conditions affecting the tract (Proof of the nonexistence of such conditions shall be provided by the landowner.), riparian buffers, and any other environmentally sensitive features.
- (13) The plotting of all existing landmarks within the proposed development, including the location of all existing streets, buildings, easements, rights-of-way, sanitary sewers, water mains, storm drainage structures, and watercourses.

- (14) The location of all existing vegetation, including all agricultural fields, lawn areas, shrubs, wooded areas and individual trees over four (4) inches dbh (diameter at breast height). Dominant tree and plant species should be identified.
- (15) A list of site data, including but not limited to the following:
 - [a] Total acreage of the tract.
 - [b] Zoning district.
 - [c] Proposed use of the land.
 - [d] Proposed gross area of the development.
 - [e] Proposed gross residential density.
 - [f] Proposed number of dwelling units and building type.
 - [g] Proposed number of lots.
 - [h] Acreage of all street rights-of-way proposed for dedication.
 - [i] Acreage and percentage of common open space.
 - [j] Acreage to be sold to individual owners.
 - [k] Acreage to be retained by landowner.
 - [l] Acreage of any commercial, public or semipublic use areas.
 - [m] Proposed number of parking spaces.
- (16) The proposed location and dimensions of all streets, access drives, parking compounds, sidewalks, nonmotorized paths, bike lanes, and curbing.
- (17) The proposed location of all lot lines with approximate dimensions.
- (18) The approximate radius and arc dimensions for all lot line and street line curves.
- (19) The approximate size of all lots in square feet and acreage.
- (20) The proposed location and configuration of all buildings. Single-family detached and semidetached dwelling units may be schematic in configuration. Reference as to whether each existing structure on the tract to be developed is to be retained or removed.
- (21) The identification of all lots and buildings by consecutive block and lot or building number; identification of building type with number of dwelling units in each multiunit building.
- (22) The proposed location of building setback lines from all streets, and the distances between buildings and adjacent tract boundaries and lot lines.

- (23) The proposed location, size and use of all common open space areas, structures and recreation facilities.
- (24) Clear sight triangles of seventy (75) feet at all street intersections.
- (25) The proposed areas to be dedicated to the Township, with acreage of all areas and widths of all rights-of-way.
- (26) Proposed street names.
- (27) The proposed location of all iron pins and concrete monuments.
- (28) The proposed size and location of all sanitary sewers, water mains, fire hydrants and laterals, storm drainage facilities, gas mains, and electric utilities; materials of all pipes, invert and top elevations of facilities and gradient of all pipes for sanitary sewers and storm drainage facilities.
- (29) The proposed location, width, and purpose of all easements.
- (30) A grading plan of the development, except for single-family detached and semidetached lots to be sold to individual owners.
- (31) A clearing and vegetation protection plan showing and identifying the location of all areas of the tract to be cleared, all areas of soil disturbance, all areas of topsoil stockpiling during the period of development, all existing vegetation to be retained, details for the methods of vegetation protection during the period of development.
- (32) A sediment and erosion control plan for the development or for each section to be developed separately.
- (33) A lighting plan, with the location and size of all street lighting fixtures.
- (34) A landscape plan for the development, except for single-family detached and semidetached lots to be sold to individual owners. The landscape plan shall include the identification and location of the following information:
 - [a] All pertinent information regarding the general site layout, existing man-made and natural features on the tract, proposed grading, existing vegetation to be retained, existing vegetation to be replaced, and other conditions affecting proposed landscaping.
 - [b] Proposed plantings, including street trees, designated by symbols appropriately scaled to represent the sizes of such at time of planting. Planting beds shall be shown by a clearly delineated border outline. Identification of all proposed plantings shall be numerically quantified and keyed to the planting schedule by the first letters of each plant's botanical and common name.

- [c] Planting schedule shall be provided for all proposed plantings, including both botanical and common plant names, identification key, total quantity, size (height, width and caliper) at time of planting based on American Association of Nurserymen increments and minimum size of maintenance after a three (3) year growth period.
 - [d] Details and specifications for all proposed plantings, topsoiling, seeding and mulching, including notes regarding special maintenance requirements temporarily during the period of establishment, or permanently, and the limits of any such special maintenance areas.
 - [e] Proposed buffering, screening, walls and fences, including construction details, cross sections, elevations, manufacturers specifications, materials and colors for same.
 - [f] Proposed courtyards, plazas, walkways, paths, common open space and recreation areas and facilities, street or site furniture, ponds, fountains, trellises, pergolas, gazebos, accessory structures, art and sculpture, common mailboxes, solid waste and recycling storage facilities and HVAC equipment and utility service boxes, to be located at or above grade; construction details, cross sections, elevations, manufacturers specifications, materials and colors for all of the above items where applicable.
- (35) Detailed prototypical yard and patio plans, except for single-family detached and semidetached lots to be sold to individual owners, including detailed plans for the proposed treatment of patios and private or semiprivate yard areas, including screening, landscaping, ground material treatment, lighting and access, for each residential dwelling.
 - (36) A proposed phasing plan of the development. If the application for tentative approval covers only a part of the overall planned residential development, it shall be accompanied by a sketch plan of the remainder of the development.
 - (37) Profile drawings shall be submitted for all streets, storm sewers, and sanitary sewer mains. Generally, the drawings shall be at a scale of fifty (50) feet to the inch horizontally and ten (10) feet to the inch vertically. Existing and proposed grades shall be shown on each drawing.
- B. Cross sections, details and specifications shall be submitted for all improvements, including streets, parking lots, curbs, sidewalks, nonmotorized paths, bike lanes, recreation facilities, lighting, planting, sanitary sewer facilities, and sediment and erosion control facilities.
 - C. Architectural concept drawings, photographs or pictures that demonstrate the architectural guidelines are to be submitted of each proposed structure type to demonstrate the vision of the planned residential development.

- D. Urban design concept diagrams which graphically depict the planning principles expressed in this ordinance as such have been applied in the development plan. The diagrams may be prepared at any appropriate scale and should illustrate the planning relationships of the community green and commercial uses to residential areas, sites for public and semipublic uses, community clubs and facilities, internal and peripheral open space, vistas and focal points, pedestrian walking distances, interconnections with the existing street and sidewalk system, buffer areas, and similar features of the plan.
 - E. Diagrams to demonstrate compliance with Appendixes A, B, C, and D.
3. Part C: declaration of covenants, grants of easements, conditions, and restrictions. Information shall be submitted to demonstrate how the developer would administer the architectural guidelines and enforce the declaration of covenants, grants of easements, conditions, and restrictions. The following criteria shall be addressed:
- A. All deeds for conveyance of property within the planned residential development shall bind the purchasers to the declaration of covenants, grants of easement, conditions, and restrictions and shall state the requirement of mandatory membership for all residents in the development in the residents' association, if such an association is to be created for the ownership, administration and maintenance of the common open space.
 - B. The declaration of covenants shall include but shall not be limited to the following:
 - (1) Parties to the declaration.
 - (2) Effective date of declaration.
 - (3) Definition of terms used in declaration.
 - (4) Establishment of a homeowners' association or community association (if applicable).
 - (5) Property rights of the landowner and of individual owners of property in any and all lands included within the limits of the development.
 - (6) Title to common open space.
 - (7) Covenants and restrictions on common open spaces preventing future development.
 - (8) Membership and voting rights of the developer and of residents in a residents' association (if applicable).
 - (9) Rights of tenants or lessees.
 - (10) Covenant for maintenance agreement of all common open spaces and other improvements throughout the development.
 - (11) Responsibility of owners of property concerning maintenance of the individual property.
 - (12) Assessments for maintenance and special assessments.
 - (13) Collection of maintenance and special assessments.
 - (14) Exemptions from assessment.

- (15) Architectural control.
 - (16) Party wall agreements, where applicable.
 - (17) Exterior maintenance, including necessary enforcement of maintenance provisions.
 - (18) Stage developments, including rights of all owners of property in all developed areas.
 - (19) Number of occupants in an apartment unit based on number of bedrooms in the apartment.
 - (20) Rights of the Township.
- C. A note shall be added to the plan stating "Copies of proposed articles, certificates and bylaws of the residents' association shall be submitted, when applicable, prior to final plan approval."
 - D. A note shall be added to the plan stating "Copies of any other restrictions which will run with the land and will become covenants in the deeds of the lots shall be submitted prior to final plan approval."
4. Part D: the supporting information report. This report shall contain the following information:
- A. A written statement explaining why the proposed planned residential development would be in the public interest and would be consistent with the Township Comprehensive Plan, and what modifications are necessary to the Township land use regulations which would otherwise be applicable to the subject property.
 - B. Present zoning of the tract and adjacent properties, including any overlay districts.
 - C. A written statement describing the natural features of the tract, including, but not limited to, an analysis of the hydrology, geology, soils, topography, and vegetation.
 - D. A comparison of the cost to the Township versus the revenues to the Township produced by the development, as well as market analysis data estimating potential market demand for various types of housing.
 - E. A listing of all proposed dwelling unit types, square footage figures per unit, number of bedrooms, and structure types; a listing of all nonresidential structures with square footage figures.
 - F. A description of any phased development schemes with figures for gross residential density and approximate development cost for each phase; percent figures for common open space for each phase, as well as limit of improvement of common open space for each phase; the approximate date when construction of each phase of the project can be expected to begin and the approximate date when each phase of the project will be completed. This schedule shall be updated annually by the landowner until the development is completed and all public improvements accepted by the Township.
 - G. A description of the use and improvement of common open space throughout the tract, and the means by which the landowner will guarantee its continuity and maintenance.
 - H. The ratio of vehicle parking spaces to dwelling units and nonresidential uses proposed.
 - I. A statement describing proposed lighting, sewerage, water, electric, gas, telephone, cable

television and refuse removal.

- J. Signed and certified approvals from appropriate utilities, authorities and agencies shall be included and shall include the following:
- (1) Appropriate sewer authority: a commitment to provide service to the planned residential development and approval of the sanitary sewer plan.
 - (2) Appropriate water authority or company: a commitment to provide public water service to the planned residential development and approval of the proposed public water distribution system.
 - (3) Pennsylvania department of transportation: highway occupancy permits.
 - (4) Lancaster County Conservation District: approval of site and improvement plans with regard to possible flooding, soil erosion and sediment control.
 - (5) PA DEP: sewer and water approval; erosion and sediment control approval (earthmoving).
 - (6) Electric company: approval of the lighting plan and location of all electric power lines and easements.
 - (7) Gas company: approval of location of all gaslines and easements, if applicable.
 - (8) Appropriate utility and transmission companies: approval of development around rights-of-way and easements.
 - (9) Appropriate railroad company: approval of any proposed grade crossings, utility crossings, rail extensions or alterations.
 - (10) Local postmaster: approval of street names.
- K. Calculations for design and location of storm drainage facilities.
- L. A narrative consistent with Section 44 of the Soil Erosion and Sedimentation Control Manual, as amended, of the PA DEP. Special emphasis shall be placed on the environmental relationship before, during and after construction.
- M. An estimate of the cost of construction of all required improvements for each phase of construction. The Township may submit the estimates to the Township Engineer for review and recommendation. The final amount of the security for each phase shall be determined by the Township.

SECTION 1937. REQUIREMENTS FOR APPLICATION FOR FINAL APPROVAL

1. All parts of the application for tentative approval shall be submitted. All maps, plans, drawings, and written material shall be revised according to the official written communication granting tentative approval. Revisions shall be noted and dated on all exhibits.
2. All additional maps, plans, drawings, agreements, approvals and other items required by the official written communication granting tentative approval shall be submitted.
3. The site plans shall be revised to show the following:
 - A. Source of title to the land of the planned residential development as shown by the records of the Lancaster County Recorder of Deeds.
 - B. Lot lines with accurate bearings and distances; distances to be to the nearest hundredth of a foot.
 - C. Acreage of all lots.
 - D. Accurate dimensions and bearings and distances of any property to be dedicated or reserved for public, semipublic, or community use, including street center lines and street right-of-way lines.
 - E. Accurate tract boundary lines with dimensions and bearings closing with an error of not more than one (1) foot in ten thousand (10,000) feet.
 - F. Accurate distance to the intersection of the center lines of the nearest established street intersection or official monument.
 - G. Complete curve data for all lot line, tract boundary line, street center line and street right-of-way line curves within the development. Curve data shall include radius, arc, tangent, angle of deflection, and chord bearing and distance.
 - H. Certification, with seal, by a registered professional engineer or professional land surveyor to the effect that the survey is correct; or, in the case of other phases of the plan, a seal of a registered professional engineer, professional land surveyor, registered landscape architect, or registered architect.
 - I. A certificate, duly acknowledged before an officer authorized to take acknowledgement of deeds and signed by the landowner of the property, to the effect that the subdivision or land development shown on the final plan is the act and deed of the landowner, that he is the owner of the property shown on the survey and plans, and that he desires the same to be recorded as such.
 - J. Certification of the offer of dedication of applicable required improvements.
 - K. A certificate for approval by the Board of Commissioners.
 - L. A certificate to accommodate the recording information.

- M. Certification, with seal, by a registered professional permitted to design storm drainage facilities within the Commonwealth of Pennsylvania that the storm drainage facilities designed are in conformance with the Township regulations.
- N. A notation describing any public uses, streets, drives or common open spaces which are not to be offered for dedication to the public, in which event the title to such areas shall remain with the landowner, and the Township shall assume no responsibility for improvements or maintenance thereof.
- O. A lighting plan with the location and size of all street, parking compound, recreational and open space lighting fixtures, whether freestanding or affixed to buildings, including the delineation of isolux lighting lines at increments of 0.2, 0.5 and 1.0 footcandle for each fixture, as applicable, and construction details, manufacturers specifications, elevations, materials and colors for each type of lighting fixture proposed.
- P. A landscape plan for the development, except for single-family detached and semidetached lots to be sold to individual owners. The landscape plan shall include the identification and location of the following information:
 - (1) All pertinent information regarding the general site layout, existing man-made and natural features on the tract, proposed grading, existing vegetation to be retained and other conditions affecting proposed landscaping.
 - (2) Proposed plantings, including street trees, designated by symbols appropriately scaled to represent the sizes of such at time of planting. Planting beds shall be shown by a clearly delineated border outline. Identification of all proposed plantings shall be numerically quantified and keyed to the planting schedule by the first letters of each plant's botanical and common name.
 - (3) Planting schedule shall be provided for all proposed plantings, including both botanical and common plant names, identification key, total quantity, size (height, width and caliper) at time of planting based on American Association of Nurserymen increments and minimum size of maintenance after a three (3) year growth period.
 - (4) Details and specifications for all proposed plantings, topsoiling, seeding and mulching, including notes regarding special maintenance requirements temporarily during the period of establishment, or permanently, and the limits of any such special maintenance areas.
 - (5) Proposed buffering, screening, walls and fences, including construction details, cross sections, elevations, manufacturers specifications, materials and colors for same.
 - (6) Proposed courtyards, plazas, lanes, walkways, paths, common open space and recreation areas and facilities, street or site furniture, ponds, fountains, trellises, pergolas, gazebos, accessory structures, art and sculpture, common mailboxes, solid waste and recycling storage facilities and HVAC equipment and utility service boxes, to be located at or above grade; construction details, cross sections, elevations, manufacturers specifications, materials and colors for all of the above items where applicable.

- Q. A signage plan for the development, including construction details, elevations, signage message or content, materials and colors for each type of sign proposed. Any proposed signage is subject to the review and approval by the Sign Code Official upon submission of a sign application.
- R. Detailed prototypical yard and patio plans, except for single-family detached and semidetached lots to be sold to individual owners, including detailed plans for the proposed treatment of patios and private or semiprivate yard areas, including screening, landscaping, ground material treatment, lighting and access, for each residential dwelling.
- S. A proposed phasing plan of the development. If the application for tentative approval covers only a part of the overall planned residential development, it shall be accompanied by a sketch plan of the remainder of the development.
- T. Profile drawings shall be submitted for all streets, storm sewers, and sanitary sewer mains. Generally, the drawings shall be at a scale of fifty (50) feet to the inch horizontally and ten (10) feet to the inch vertically. Existing and proposed grades shall be shown on each drawing.
- (1) Cross sections, details and specifications shall be submitted for all improvements, including streets, parking lots, curbs, sidewalks, nonmotorized paths, bike lanes, recreation facilities, play equipment, lighting, planting, sanitary sewer facilities, and sediment and erosion control facilities.
 - (2) Architectural drawings shall be submitted of each proposed structure type in the planned residential development. Drawings shall include but not be limited to the following information:
 - [a] Elevations of the exterior sides of all existing and proposed buildings and structures exposed to view, showing the proposed building treatment in terms of architectural style, materials, colors and details, to be drawn at a scale not larger than one inch equals eight feet (1"= 8').
 - [b] Floor plans of all proposed buildings and structures, to be drawn at a scale not larger than one inch equals eight feet (1"= 8').
 - [c] Details of all fire walls.
 - [d] A minimum of two (2) ground-level perspective drawings, one (1) showing the community green and the surrounding buildings and one (1) showing a typical residential street as seen from the public right-of-way, including buildings fronting on the street.
 - [e] A minimum of one (1) axonometric or isometric projection showing the proposed development in its surrounding context, including adjacent buildings and properties as such exist, to be drawn at the same scale as the site plan.
 - [f] Accurately colored architectural renderings of all prototypical buildings, structures and signs.
 - (3) Urban design concept diagrams which graphically depict the planning principles expressed in this ordinance as such have been applied in the development plan. The diagrams may be prepared at any appropriate scale and should illustrate the planning

relationships of the community green and commercial uses to residential areas, sites for public and semipublic uses, community clubs and facilities, internal and peripheral open space, vistas and focal points, pedestrian walking distances, interconnections with the existing street and sidewalk system, buffer areas, and similar features of the plan.

- (4) Diagrams to demonstrate compliance with Appendixes A, B and C.
 - (5) The applicant shall provide the Township an electronic version of the approved development plan on CD prior to recording.
4. Declaration of covenants, grants of easements, conditions, and restrictions.
- A. All deeds for conveyance of property within the planned residential development shall bind the purchasers to the declaration of covenants, grants of easement, conditions, and restrictions and shall state the requirement of mandatory membership for all residents in the development in the residents' association, if such an association is to be created for the ownership, administration and maintenance of the common open space.
 - B. The declaration of covenants shall include but shall not be limited to the following:
 - (1) Parties to the declaration.
 - (2) Effective date of declaration.
 - (3) Definition of terms used in declaration.
 - (4) Establishment of a residents' association (if applicable).
 - (5) Property rights of the landowner and of individual owners of property in any and all lands included within the limits of the development.
 - (6) Title to common open space.
 - (7) Covenants and restrictions on common open spaces preventing future development.
 - (8) Membership and voting rights of the developer and of residents in the residents' association (if applicable).
 - (9) Rights of tenants or lessees.
 - (10) Covenant for maintenance agreement of all common open spaces and other improvements throughout the development.
 - (11) Responsibility of owners of property concerning maintenance of the individual property.
 - (12) Assessments for maintenance and special assessments.
 - (13) Collection of maintenance and special assessments.
 - (14) Exemptions from assessment.
 - (15) Architectural control.
 - (16) Party wall agreements, where applicable.
 - (17) Exterior maintenance, including necessary enforcement of maintenance provisions.

- (18) Stage developments, including rights of all owners of property in all developed areas.
 - (19) Number of occupants in an apartment unit based on number of bedrooms in the apartment.
 - (20) Rights of the Township.
- C. Copies of proposed articles, certificates and bylaws of the residents' association shall be submitted, when applicable, for approval. The bylaws of the residents' association shall include but shall not be limited to the following:
- (1) Name of association.
 - (2) Organizational outline of association.
 - (3) Date, time and place for association meetings.
 - (4) Means of notification of meetings.
 - (5) Constitution of quorum for a meeting.
 - (6) Method of election and terms of office of officers.
 - (7) Board of Directors of association.
 - (8) Powers, duties, and responsibilities of officers and of Board of Directors of association.
 - (9) Date, time and place of meetings of Board of Directors.
 - (10) Records of association and of Board of Directors.
 - (11) Levying and collecting of assessments called for in declaration of covenants, conditions and restrictions.
 - (12) Membership and voting rights of developer and residents in residents' association.
- D. Copies of any other restrictions which will run with the land and will become covenants in the deeds of the lots shall be submitted.
5. An agreement shall be entered into between the Township and the landowner to cover in detail the improvements required to be constructed as a condition of acceptance of a planned residential development which specifies time limits for the completion of required improvements. The items to be covered by the agreement shall include, but not necessarily be limited to, the construction of streets, alleys, storm drainage facilities, sanitary sewers, waterlines, street signs, survey markers and monumentation, sidewalks, curbs, off-street parking, streetlights, street trees, fire protection, and common open space improvements.
6. Financial security shall be calculated and posted to secure the completion of improvements in accordance with the requirements of Article V of the Pennsylvania Municipalities Planning Code and the Subdivision and Land Development Ordinance. The financial security shall be released as construction progresses in accordance with the procedure set forth in Article V of the Pennsylvania Municipalities Planning Code. Upon completion of the improvements and acceptance of dedication by the Township of any improvements, the landowner shall post financial security to secure the structural integrity and functioning of the improvements which have been accepted by the Township

in accordance with the requirements of Article V of the Pennsylvania Municipalities Planning Code.

ARTICLE XX. OFF-STREET PARKING AND LOADING (AMENDED BY ORDINANCE 2020-03, DATED 01/13/2020, ORDINANCE 2022-05, DATED APRIL 25,2022)

SECTION 2001. COMPLIANCE REQUIRED

No building shall be erected, enlarged by an increase of floor area, or converted to a new use classification in any district, unless off-street parking spaces are provided as set forth in the following schedule. In addition to the number of parking spaces set forth, there shall also be provided sufficient passageways and driveways giving access to the parking spaces to allow cars to enter and leave the lot and to turn within it in a safe and orderly manner and without disrupting traffic in the public right-of-way.

SECTION 2002. MINIMUM OFF-STREET PARKING REQUIREMENTS

1. Dwellings:

- A. Single-family detached, single-family semidetached and duplex: two (2) spaces for each dwelling unit.
- B. Townhouses: One and three quarters (1.75) spaces for each dwelling unit.
- C. Apartment dwellings: One and one-half (1.5) spaces for each dwelling unit.

2. **Auditoriums** (excluding schools), stadiums, theaters, and all other places of assembly providing seats for an audience, including houses of worship and funeral homes: one (1) space for each two and one-half (2.5) seats.

3. **Extended, intermediate, and long-term care facilities:** one (1) space for each three (3) beds and one (1) space for each employee on the largest shift.

4. **Retail sales and services:** one (1) space for each two hundred (200) square feet of gross floor area. (See also Subsection 15, Shopping center.)

5. **Restaurants and banquet facilities:** one (1) space for each two (2) seats.

6. **Hotels, full-service; hotels, limited-service; motels; boardinghouses; and bed-and-breakfast**

establishments: one (1) space for each guest unit and one (1) space for each employee on the largest shift.

7. **Industrial and research uses:** One and one-half (1.5) spaces for each two employees.

8. Offices:

- A. Under 49,999 square feet of gross floor area: Four and one-half (4.5) spaces per one thousand (1,000) square feet of gross floor area.
- B. 50,000 to 99,999 square feet of gross floor area: four (4) spaces per one thousand (1,000) square feet of gross floor area.

- C. 100,000 plus square feet of gross floor area: Three and one-half (3.5) spaces per one thousand (1,000) square feet of gross floor area.
- D. Offices located within an office park: one (1) space for two hundred fifty (250) square feet gross floor area.
- E. Offices, medical or dental: five (5) spaces for each one thousand (1,000) square feet of gross floor area.
9. **Convenience store:** one (1) space for each one hundred (100) square feet of gross floor area and one (1) for each employee on the largest shift.
10. **Schools:**
- A. Elementary: two and one-half (2.5) spaces for each classroom.
 - B. Secondary: four (4) spaces for each classroom.
11. **Warehousing:** one (1) space for each five thousand (5,000) square feet of gross floor area and one (1) space for each employee on the largest shift.
12. **Day-care centers:** one (1) space for each six (6) persons cared for and one (1) space for each employee on the largest shift.
13. **Educational institutions:** one (1) space for each student and one (1) space for each five hundred (500) feet of gross floor area devoted to classroom and administrative office use.
14. **Hospital:** one (1) space for every two (2) beds and one (1) space for each two hundred (200) feet of gross floor area.
15. **Shopping center:** four and one-half (4.5) spaces for each one thousand (1,000) square feet of gross floor area.
16. **Motor vehicle sales/service:** one (1) space per employee on the largest shift, plus one (1) space per service bay.
17. **Commercial recreation facilities and conference/event centers:** one (1) per three hundred (300) square feet of gross floor area.
18. **Outdoor athletic fields:** fifteen (15) per field, plus one (1) per four (4) permanent seats.
19. **Community facility/community club and Country Clubs:** one (1) space per three hundred (300) square feet of gross floor area.
20. **Wholesale sales:** one (1) space per one thousand (1,000) square feet of gross floor area.
21. **Mini storage facilities.** Parking requirements shall be based upon the area of office use only.
22. **Veterinary Facility:** four and one-half (4.5) spaces for each one thousand (1,000) square feet of gross floor area.

23. **Handicapped parking space** location, dimensions and number shall be regulated by the Department of Code Compliance.

24. **For other uses which do not fit into one** (1) of the above categories, determination of the adequate off-street parking space requirement shall be made by the Township. It is the intent of these requirements that adequate off-street parking and loading facilities be provided for each land use.

SECTION 2003. PARKING DEMAND NEEDS ASSESSMENT (PDNA)

1. Where an applicant or the Township believes that the parking requirements are inappropriate for a proposed use or shared parking arrangement and provides a reasonable explanation, a Parking Demand and Needs Assessment (PDNA) may be submitted at the developer's expense. The Township may authorize the reduction to the parking requirements when a PDNA shows that the requirements, as applied to the particular use, would exceed the minimum necessary to conveniently serve the customers, clients, visitors and employees. The Township may substitute or rely on the special study for that specific property.

2. The components of a PDNA shall include, at least, the following:

A. A narrative discussion of the type of use and an explanation of why such use is unique from a parking needs standpoint.

B. Basic traffic generation data, such as numbers of anticipated vehicles entering and exiting the site at peak hours. This should include data derived from ITE or similar uses at other sites.

C. Existing or proposed public transit facilities available to the site and the availability of potential pedestrian or bicycle access to the site.

D. Proposed means of parking/traffic mitigation measures, such as carpools/vanpools, varied work shifts, company-operated buses or shuttles and employee incentives for utilizing alternate modes of transportation.

E. Anticipated number of employees, parking counts from similar land uses, amount of time a typical user parks at the site, possibility of shared parking between one or more adjacent land uses, peak period parking demand information, and any additional relevant information requested by the Township.

3. The Township Board of Commissioners shall review and provide a decision on the parking demand needs assessment with final plan approval.

4. Where the Township authorizes a reduction in parking, an area suitable for the number of parking spaces no longer required as a result of the PDNA analysis shall be reserved on site and

shown on the plan as reserved parking should the proposed use(s) change and the reductions granted no longer be applicable.

SECTION 2004. PARKING SPACE COMPUTATION

When the computation to determine the number of required parking spaces results in a requirement of a fractional space, any fraction up to and including one-half (1/2) shall be disregarded, and fractions over one-half (1/2) shall equal one (1) space.

SECTION 2005. PARKING AREA ACCESS AND LOCATION

1. All the required off-street parking and loading areas and access shall be located on the same lot as the building which they are intended to serve and shall be readily accessible to it, unless located within an office park, industrial park, shopping center or within the T-6 Urban Transition Overlay area and provided in accordance with Section 2005.6 and 7 herein.

2. All parking areas, loading areas, and access areas shall be located in the same Zoning District and T-Zone Overlay as the use which they serve unless otherwise specified in the T-6 Urban Transition Overlay.

3. Access to a parking lot must be located in the same Zoning District and T-Zone Overlay as the parking lot unless otherwise specified in the T-6 Urban Transition Overlay.

4. No required off-street parking spaces shall be located within the required front yard, or yards in the case of a corner lot in a residential district. In all other districts, it shall not be located within ten (10) feet of any street right-of-way, nor within any space required by this ordinance as a perimeter buffer area, and, where applicable, shall be located in accordance with the appendices and relevant T-Zone Overlays.

5. No required off-street parking within a business district or industrial district, with the exception of off-street parking servicing and located within an office park, industrial park or shopping center, shall be located within the required rear or side yard building setback if the lot is adjacent to a residential district.

6. All or part of the off-street parking spaces required within an office park, industrial park, shopping center or within the T-6 Urban Transition Overlay for two (2) or more uses may be provided in common parking garages or parking lots, provided that the number of spaces is not less than the sum of the spaces required for each use individually. Where shared parking arrangements are formalized between adjoining uses, the perimeter buffer is not required along the common lot line.

7. All or part of the off-street parking spaces required within an office park, industrial park, shopping center or within the T-6 Urban Transition Overlay may be provided in parking structures/decks or parking lots located on a separate lot or lots within a three hundred (300) feet of walking distance from the use for which the parking is required, provided that the separate lot must be located within the office park, industrial park, shopping center or within the T-6 Urban Transition Overlay.

8. A parking structure/deck shall not exceed two (2) parking levels above grade or twentyfive (25) feet in height, whichever is less, unless otherwise specified in this ordinance. In no case shall the parking structure/deck be taller than the principal buildings on the site.

SECTION 2006. PARKING AREA SCREENING (See Section 2512 and Section 2513.)

SECTION 2007. PARKING AREA SURFACE

Every off-street parking area and access drive thereto shall be surfaced with an all-weather durable and dustless material, such as stone, asphalt, macadam, or concrete. It shall be so graded and drained as to dispose of all surface water accumulation and shall have bumper guards where needed.

SECTION 2008. PARKING AREA DIMENSIONS

1. Each parking space shall be a minimum width of nine (9) feet and a minimum depth of eighteen (18) feet, except that a maximum of three (3) percent of the required spaces or five (5) spaces, whichever is less, may be designed to accommodate motorcycles.

Motorcycle spaces shall be a minimum of four (4) feet in width and nine (9) feet in length.

2. Minimum dimensions for off-street parking and maneuvering space shall be as follows:

Parking Angle	Stall Width(feet)	Stall Depth(feet)	Aisle Width(feet)
90°	9	18	24
60°	9	18	20
45°	9	18	18

3. Parallel parking spaces shall measure a minimum of seven (7) feet wide by twenty-two (22) feet long and shall not be located within twenty-five (25) feet of an intersection.

4. When off-street parking facilities are located adjacent to a public alley, the width of said alley may be assumed to be a portion of the maneuvering space requirement, but not as part of the parking space minimum area.

SECTION 2009. PARKING AREA RESERVATION

All off-street parking areas shall be reserved for and used for motor vehicle parking only, with no sales, dead storage, repair work, dismantling, or servicing of any kind. The parking of one (1) commercial motor vehicle with a maximum payload capacity of two and one-half (2 1/2) tons is permitted on a residential dwelling lot in any zoning district if needed by the resident of the dwelling for a home occupation or for a business not conducted on the premises. A maximum of one (1) recreation vehicle is permitted to be parked overnight on a lot in any zoning district, except where expressly permitted as part of the principal use, provided it is not to be used for sleeping, recreation, or living purposes at any time while parked on the property.

SECTION 2010. OFF-STREET LOADING AND UNLOADING SPACE

1. Off-street loading and unloading space or spaces shall be designed with appropriate means of vehicle access to a street in a manner which will least interfere with pedestrian and vehicular traffic.
2. Loading and unloading spaces shall have paved surfaces.
3. Loading and unloading spaces shall not be located within the required front yard.
4. Required off-street parking space shall not be utilized for loading and unloading purposes.
5. Where possible, off-street loading and unloading space or spaces shall be located on the face of a building not facing any adjoining land in residential districts. If such loading and unloading spaces are located on the face of a building adjoining residentially zoned land, a continuous visual screen shall be provided along the property line.
6. No storage of any kind, nor motor vehicle repair work of any kind, except emergency work, shall be permitted within any loading or unloading space or spaces.
7. Off-street loading and unloading spaces shall be at least twelve (12) feet in width by at least fifty (50) feet in length, exclusive of aisle and maneuvering spaces, and shall have a vertical clearance of at least sixteen (16) feet.

SECTION 2011. HANDICAP PARKING

Handicap parking spaces shall be provided in accordance with the Americans with Disabilities Act.

SECTION 2012. RESIDENTIAL DRIVEWAYS

1. A driveway shall be surfaced with an all-weather, durable and dustless material. Such material shall extend the full length and width of the driveway. Any portion of a driveway constructed within the public right-of-way shall be constructed to the approved standards of the Township or PennDOT.
2. Residential driveways shall have a minimum width of eight (8) feet.
3. Residential driveways shall be setback three (3) feet from the property line.
4. Refer to Section 2211.

SECTION 2013. BICYCLE RACKS

All parking facilities containing between fifty (50) and one hundred (100) parking spaces shall provide bicycle racks on the site. For each additional one hundred (100) spaces, an additional rack shall be provided. Not more than five (5) bicycle racks shall be required for anyone (1) facility. Bicycle racks shall be located along the front or sides of buildings, clearly visible from main entrances. Racks shall be located so as to permit a minimum clearance of four (4) feet along sidewalks. Smaller racks at multiple locations are preferred over larger racks located far from main entrances

ARTICLE XXI. ACCESSORY USES (Amended by Ordinance 2016-06, dated 3/28/2016; Ordinance 2016-18, dated 9/26/2016, and Ordinance 2021-01, dated 01/10/2023)

SECTION 2101. ANIMALS AND ANIMAL SHELTERS

1. In any zoning district, it is permitted to maintain as domestic pets five (5) dogs or five (5) cats, or a combination thereof, not to exceed a total of five (5) domestic pets, each over six (6) months of age, provided it is on a noncommercial basis. Where a shelter and/or exercise pen is maintained, it shall be located in the rear yard at least ten (10) feet from any lot line, and no closer than fifty (50) feet to the nearest dwelling other than that of the owner.
2. In any zoning district, it is permitted on any single family detached dwelling lot to maintain pigeons and chickens, on a noncommercial basis provided the following conditions are met:
 - A. For lots containing between 15,000 square feet and 20,000 square feet, a maximum of six (6) pigeons or chickens or combination of pigeons and chickens not to exceed six (6) shall be permitted.
 - B. For lots greater than 20,000 square feet, a maximum of twelve (12) pigeons or chickens or a combination of pigeons and chickens shall be permitted.
 - C. Pigeons and chickens and any shelter, coop or exercise pen including fencing, shall be located in the rear yard, shall be at least twenty-five (25) feet from any lot line and shall be no closer than fifty (50) feet to the nearest dwelling other than that of the owner.
 - D. Pigeons and chickens shall be contained on the property and shall not be permitted to roam free.
 - E. The owner shall be responsible for ensuring the pigeons or chickens are healthy and properly maintained. This shall include visual checks to ensure the pigeons or chickens are alert, active, eating and have clean eyes and nostrils.
 - F. Any pigeon or chicken that becomes deceased will be properly disposed.
 - G. Any outdoor exercise pen or grazing area shall be securely fenced to contain the pigeons and chickens and to prevent escape. Fences shall comply with Section 2108 of this Ordinance.
 - H. Hens are permitted. Roosters are not permitted.
 - I. Pigeons or chickens shall be kept for personal use only.
 - J. The incidental sale of eggs is prohibited except as authorized by Section 2503.1. of this Ordinance.
 - K. All waste shall be properly stored and disposed of, shall comply with Chapter 91, Manure Management and shall not be objectionable at the property line. Any waste that enters the Township's stormwater system is considered an illicit

discharge as set forth in Section 701 of the Stormwater Management Ordinance, as amended

- L. Slaughtering shall not be permissible.
 - M. A zoning permit demonstrating compliance with the criteria shall be obtained. In obtaining a zoning permit, it ensures the small flock is registered with the Township.
 - N. A detailed narrative shall be submitted with the zoning permit including the following:
 - (1) Description of how the pigeons or chicken will be contained.
 - (2) Description of how waste will be managed and disposed and describe how any deceased pigeon or chicken will be disposed.
 - (3) Description of how pigeon or chicken feed will be stored. Feed shall not be stored outside the associated residential dwelling, unless it is stored in a metal latched container designed to prevent entry by wildlife or animals.
 - (4) Photos of the proposed containment structure including construction specifications.
 - O. The regulations of this Section do not apply to normal agricultural, or farming operations permitted by this Ordinance.
- 3. In any zoning district, unless regulated by other provisions in this ordinance, it is permitted to maintain up to two (2) saddle horses, provided no building, corral, or stable is less than one hundred (100) feet from any lot line and is not closer than two hundred (200) feet to the nearest existing dwelling other than that of the owner. A pasture fence shall be located at a minimum distance of ten (10) feet from the property line.
 - 4. No manure storage facility or area shall be established closer than one hundred (100) feet to any property line.
 - 5. Domestic pets referred to in this Section shall not be kept for breeding purposes.

SECTION 2102. DETACHED PRIVATE GARAGES

- 1. Maximum capacity:
 - A. For a single-family detached or semidetached dwelling unit: three (3) vehicles.
 - B. For a garage associated with a townhouse or apartment development: Garage spaces may be grouped into detached structures with a maximum of eight (8) vehicles.
- 2. Maximum height: Twenty (20) feet.
- 3. No temporary structures shall be permitted.
- 4. No structure shall be permitted between the required building setback line and the street line, except that where the street line is a principal arterial roadway, the setback shall be five (5) feet.

5. No structure shall be located within the minimum required side yard of the prevailing district.
6. No structure shall be located within ten (10) feet of the rear property line.
7. Direct driveway access is required for each space within a garage.
8. A detached, front-loaded garage shall be set back a minimum of forty (40) feet from the street right-of-way from which it takes access.

SECTION 2103. OTHER OUTBUILDINGS/STRUCTURES

1. Maximum height: ten (10) feet.
2. No structure shall be within five (5) feet of any property line.
3. No structure shall be permitted between the required building setback line and the street line, except that where the street line is a limited access legislative route to which the lot has no access, the setback shall be five (5) feet.
4. Accessory buildings associated with elementary and secondary schools shall have a maximum height of thirty-five (35) feet.

SECTION 2104. SWIMMING POOLS

1. No permanent structure shall be permitted without an operable, maintained filtering system utilizing an approved method of treated water.
2. All swimming pools which have the capability to contain more than twenty-four (24) inches of water shall be enclosed by a permanent fence which is at least four (4) feet in height. No fence will be required for aboveground permanent pools which have sides which are at least four (4) feet above grade and access to the pools can be secured, unless the Zoning Officer determines that conditions warrant greater safety measures. However, all aboveground permanent pools shall be screened by a landscape screen, which shall be composed of shrubs that have a minimum height of at least four (4) feet, measured from ground level, at the time of planting.
3. No structure shall be within ten (10) feet of any property line which shall be measured from the nearest water surface.
4. No structure shall be permitted between the building setback line and the street line.
5. An approved temporary construction fence shall be erected around the excavation site during the construction of the pool and shall remain in place until the permanent fence is erected.
6. Water shall not be placed into a swimming pool until a permanent, approved fence has been erected and a certificate of use and occupancy has been issued.

SECTION 2105. TENNIS COURTS

1. No facility shall be permitted unless it is protected by an open mesh permanent fence ten (10) feet in height behind each baseline extending ten (10) feet beyond the playing area in

each direction.

2. No facility shall be permitted within ten (10) feet of any property line.
3. No facility shall be located between the building setback line and the street line.

4. If lighting is provided, it shall be so arranged so that there is no objectionable glare on adjoining properties.

SECTION 2106. PATIOS AND PAVED TERRACES

No patio, paved terrace, or deck shall be located within any required setback, or between the required building setback line and the street line or public right-of-way, except:

1. Where otherwise specified for single-family semidetached, townhouse, or zero lot line dwellings: or
2. Where the street line is a limited access highway to which the site has no access, the setback shall be five (5) feet.

SECTION 2107. PUBLIC NUISANCES

1. No activities shall be permitted which create a public nuisance and/or interfere with the use of adjacent residential lots.
2. Nothing in this section shall limit other uses not mentioned so long as, in the opinion of the Zoning Officer, they are accessory to the residential use of the land, are temporary in nature, and do not create a threat to the public health, safety, and/or welfare of the community.

SECTION 2108. FENCES AND FREESTANDING WALLS

1. Upon property devoted to residential use, no fence or freestanding wall shall be erected to a height of more than forty-two (42) inches in any front yard, nor more than six (6) feet in any other yard, unless otherwise specified in this Ordinance.
2. Upon property devoted to municipal, commercial or industrial use, no fence or freestanding wall shall be erected to a height of more than forty-two (42) inches in any front yard, nor more than eight (8) feet, including any barbed wire atop the fence or freestanding wall, in any other yard unless otherwise specified in this Ordinance. Where such municipal, commercial or industrial use abuts a residential use, such fence or freestanding wall shall not exceed six (6) feet.
3. Where any lot abuts a limited access legislative highway to which the lot has no access, the fence or freestanding wall may be a maximum of eight (8) feet in height along the property boundary which abuts such limited access legislative highway.
4. Fence height exceptions. All portions of fencing shall be subject to the maximum fence height regulations specified in this Ordinance, except for fence posts and decorative finials on the fence post. The height of any such projection on the fence post shall not exceed the height of the fence by more than six (6) inches.
5. Fences alongside or rear lot lines are not subject to yard or setback requirements. Freestanding walls shall be setback five (5) feet from side and rear lot lines. Fences or freestanding walls within the front yard shall be a minimum of two (2) feet behind the required street right-of-way line. All fences shall be located completely within lot boundaries and no fence may coincide with any lot line.

6. No solid fence or freestanding wall shall be erected within the required front yard setback, except where required to maintain the build-to-line of adjacent buildings.
7. No fence or freestanding wall shall be erected which blocks or limits visibility for driveways on adjacent properties.
8. No fence or freestanding wall shall be located within any clear site triangle as required by this Ordinance or the Township Subdivision and Land Development Ordinance.
9. No fence or freestanding wall shall be erected in a public right-of-way or other rights-of-way or easements, including but not limited to public or private drainage, utility or access easements, unless otherwise require by this Ordinance, the Township Subdivision and Land Development Ordinance or the Township Stormwater Management Ordinance.
10. Unless required for security purposes for commercial or industrial use, no fence shall be constructed of barbed wire, razor, or other sharp components capable of causing injury, and only then if the portion of the fence containing barbed wire, razor, or other sharp components capable of causing injury is not lower than six feet above the average surrounding ground level.
11. All fences and freestanding walls shall comply with the Pennsylvania Uniform Construction Code (PA UCC) as enforced by the Township.

SECTION 2109. SATELLITE ANTENNAS

1. The diameter of ground-mounted antennas shall not exceed twelve (12) feet.
2. Ground-mounted antennas, including supports, shall not exceed fifteen (15) feet in height.
3. Ground-mounted antennas shall be located in rear yards only and be located no closer than ten (10) feet to any property line.
4. Roof-mounted antennas shall not project more than five (5) feet above the roofline.

SECTION 2110. HOME OCCUPATIONS

1. Purpose. The purpose of this section is to allow for home occupations which are compatible with the neighborhood in which they are located. It is the intent of this section to:
 - A. Ensure the compatibility of home occupations with other uses permitted in the residential districts.
 - B. Insure that permitted home occupations are incidental and secondary to the use of a dwelling as a residence.
 - C. Maintain and preserve the character of residential neighborhoods.
 - D. Promote the efficient use of public services and facilities by assuring these services are provided to the residential population for which they are planned and constructed, rather than commercial uses.

2. Approval. Home occupations complying with the criteria established in Section 2110.3 shall be considered minor in character and permitted by right. Major home occupations shall commence only after the receipt of a special exception as outlined in Section 2805.2 of this ordinance.
3. Criteria: minor occupations. Uses classified as minor shall be permitted in all residential districts. The following regulations shall apply to all minor home occupations:
 - A. Such use shall be conducted entirely within a dwelling or within a detached garage located on a single-family detached or single-family semidetached residential lot and in existence on the effective date of this ordinance and operated by one or more persons, all family members, and all of whom reside within the dwelling. Persons in building trades and similar fields, using their dwelling as an office for business activity carried on off site, may have other employees, provided they are not employed on site, they do not park on or near the dwelling site, and they do not visit the dwelling during the course of business.
 - B. Such use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes, and the appearance of the structure in which the occupation is conducted shall not be altered or the occupation within the residence shall not be conducted in a manner which would cause the premises to differ from its residential character.
 - C. No more than twenty-five (25) of the gross floor area of the dwelling, including attached garage area, or four hundred (400) square feet, whichever is smaller, shall be used for the home occupation. The attached garage or detached garage area may be used for home occupation purposes, provided that such use does not cause the elimination of the required off-street parking spaces for the dwelling.
 - D. The business of selling stocks of merchandise, supplies, or products shall not be conducted on the premises, except those orders previously made by telephone, by

appointment or at a sales party may be filled on the premises, e.g., direct sales of products off display shelves or racks is not allowed, but a person may pick up an order placed earlier as described above.

- E. No storage or display of goods shall be visible from outside the structure.
- F. No explosive or highly combustible material shall be used or stored on the premises.
No activity shall be allowed which would interfere with radio or television transmission in the area, nor shall there be any offensive noise, vibration, smoke, dust, odors, heat, or glare noticeable at or beyond the property line.
- G. A home occupation shall not create significantly greater vehicle or pedestrian traffic than normal for the district in which it is located.
- H. Parties for the purpose of selling merchandise or taking orders shall not be held more than one (1) time each month.
- I. A minor home occupation shall not create a need for off-street parking spaces in excess of those required for a dwelling in 2002.1 of this ordinance.
Commercial vehicles used for a home occupation must be parked in an off-street parking space. In addition, commercial vehicles for persons in building trades or similar fields must be parked in a garage or screened from the street and adjacent residential uses.
- J. No use of material or equipment not recognized as being part of the normal practices of owning and maintaining a residence shall be allowed.
- K. Deliveries from commercial suppliers shall comply with the Pennsylvania Motor Vehicle Code and shall not restrict traffic circulation.
- L. A home occupation shall not generate waste products or materials of a quality or quantity not normally associated with a residential use.
- M. A home occupation shall not increase water or sewer use so that either is significantly more than the average for residences in the neighborhood.
- N. Passenger drop-off and pickup areas for minor family day-care centers shall be provided on site and arranged so that passengers do not have to cross traffic lanes on or adjacent to the site.
- O. Permitted minor home occupations are limited to the following:

- (1) Artists, craftsmen and sculptors.
- (2) Authors and composers.
- (3) Office facilities, excluding medical offices and dental offices.
- (4) Individual tutoring.
- (5) Preparation of food or food products to be sold or served off site.

(6) Individual instrument instruction, provided that no instrument may be amplified.

(7) Telephone solicitation work.

(8) Minor family day-care centers (only in a detached or semidetached single-family dwelling).

(9) Dressmaking, sewing and tailoring.

(10) Uses not listed that, in the opinion of the Zoning Officer, are considered to be of the same general character as the minor home occupations permitted.

P. Prohibited minor home occupations. The following uses, by the nature of the investment or operation, have a pronounced tendency once started to rapidly increase beyond the limits permitted for home occupations and thereby impair the use and value of a residentially zoned area for residence purposes.

Therefore, the uses specified below shall not be permitted as minor home occupations:

(1) All uses prohibited as major home occupations.

(2) Hairstylists/Single chair hairstylist.

(3) Private schools with organized classes.

(4) Television and other electrical repairs.

(5) Upholstering.

(6) Other similar uses which may, in the opinion of the Zoning Officer, result in an adverse impact on a residential neighborhood.

- 4. Criteria: major home occupations. Uses classified as major shall be considered uses by special exception according to this ordinance. In granting any special exception, the Zoning Hearing Board may attach certain conditions to its approval which, in addition to the requirements listed within this ordinance; it feels are necessary

requirements in order to preserve and protect the character of residential areas. The following regulations shall apply to all major home occupations:

- A. Such use shall be conducted entirely within a single-family detached or single-family semidetached dwelling or within a detached garage located on a residential lot as a single-family detached dwelling or single-family semidetached dwelling and in existence on the effective date of this ordinance and operated by one or more persons, all family members, and all of whom reside within the dwelling. There may be one full-time equivalent nonresident employee permitted on site. Persons in building trades and similar fields, using their dwelling as an office for business activity carried on off site, may have other employees, provided they are not employed on site, they do not park on or near the dwelling site, and they do not visit the dwelling during the course of business.
- B. Such use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes, and the appearance of the structure in which the occupation is conducted shall not be altered or the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character.
- C. No more than twenty-five (25) of the gross floor area of the dwelling, including attached garage area, or four hundred (400) square feet, whichever is smaller, shall be used for the home occupation. The attached garage or detached garage area may be used for home occupation purposes, provided that such use does not cause the elimination of the required off-street parking spaces for the dwelling.
- D. The business of selling stocks of merchandise, supplies, or products shall not be conducted on the premises, except that incidental retail sales may be made in connection with other permitted home occupations, and orders previously made by telephone, by appointment or at a sales party may be filled on the premises.
- E. There shall be no exterior storage on the premises of material used in the home occupation, nor of any explosive or highly combustible material. No activity shall be allowed which would interfere with radio or television transmission in the area, nor shall there be any offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line.
- F. Deliveries from commercial suppliers shall comply with the Pennsylvania Motor Vehicle Code and shall not restrict traffic circulation.
- G. Parties for the purpose of selling merchandise or taking orders shall not be

held more often than one (1) time each month.

- H. A major home occupation that employs a nonresident of the dwelling shall provide one off-street parking space for use by the employee. Commercial vehicles used for a home occupation must be parked in an off-street parking space. In addition, commercial vehicles for persons in building trades or similar fields must be parked in a garage or screened from the street and adjacent residential uses. If the nature of the major home occupation may result in more than one (1) customer or client to visit the premises at any one time, the Zoning Hearing Board shall specify the number of parking spaces required and the location of such spaces. Additional off-street parking area shall not be located within the required front yard setback or within three (3) feet of any side or rear property line.
- I. A home occupation shall not generate waste products or materials of a quality or quantity not normally associated with a residential use.
- J. A home occupation shall not increase water or sewer use so that either is significantly more than the average for residences in the neighborhood.
- K. All major family day-care centers shall furnish a valid certificate of compliance for the proposed facility, issued by the Pennsylvania Department of Public Welfare.
- L. Passenger drop-off and pickup areas for family day-care centers shall be provided on site and arranged so that passengers do not have to cross traffic lanes on or adjacent to the site.
- M. Permitted major home occupations are limited to the following:
 - (1) Any use permitted as a minor home occupation.
 - (2) Medical offices and dental offices.
 - (3) Single-chair hairstylists and personal care facility such as single chair nail salon.
 - (4) Organized classes with up to six (6) students at one time.
 - (5) Television and other electrical repairs, excluding major appliances such as refrigerators or stoves.
 - (6) Upholstering.
 - (7) Minor or major family day-care centers.
 - (8) Uses not listed that, in the opinion of the Zoning Officer and upon review and approval by the Zoning Hearing Board, are considered to be of

the same general character as the major home occupations permitted.

N. Prohibited major home occupations. The following uses, by the nature of the investment or operation, have a pronounced tendency once started to rapidly increase beyond the limits permitted for home occupations and thereby impair the use and values of a residentially zoned area for residence purposes and are more suited to professional or business districts. Therefore, the uses specified below, and other similar uses shall not be permitted as home occupations:

- (1) Minor or major motor vehicle repair, painting of vehicles, trailers, or boats.
- (2) Funeral chapel or home.
- (3) Rental businesses.
- (4) Photo studios.
- (5) Photo development.
- (6) Material fabrication shops or machine shops.
- (7) Small engine repair.
- (8) Production woodworking and cabinetmaking.
- (9) Other similar uses which may, in the opinion of the Zoning Officer, result in an adverse impact on a residential neighborhood.

5. Home occupation application requirements.

A. The application for a minor home occupation shall be submitted in such a form as the Zoning Officer may prescribe and shall be accompanied by the required filing fee as adopted by the Board of Commissioners. The form shall include, but not be limited to, the following information:

- (1) Name, mailing address and phone number of applicant.
- (2) Street address of the property.
- (3) Description of all activities involved in the business and how the business will operate.

B. Upon receiving the application, the Zoning Officer shall examine the same within a reasonable time after filing. If the application does not conform to the provisions of all pertinent laws, the Zoning Officer shall notify the applicant in writing. Such notification shall include findings in support of the decision and the applicant's right of appeal to the Zoning Hearing Board.

C. The application for a major home occupation shall be submitted to the Zoning

Hearing Board. The Zoning Hearing Board shall conduct hearings and make decisions regarding such applications in accordance with Article XXVIII, Zoning Hearing Board; Administrative Proceedings, of this ordinance.

6. Home occupation permits.

A. In the event an application is approved, then a home occupation permit shall be issued to the applicant. Said permit shall apply only to the applicant, occupation, and premises stated in the application. The permit is nontransferable and non-assignable. Said permit shall also be deemed to be automatically revoked upon the earliest of the following: the applicant dies; the applicant moves from the premises where the permit was granted; or the applicant otherwise ceases engaging in the home occupation.

B. Home occupation permits shall expire December 31 of each year and, once granted, may be renewed without additional hearings, subject to the provisions of this section, by completing the renewal form prescribed by the Zoning Officer and paying the annual permit fee as adopted by the Board of Commissioners. Failure to apply for renewal and/or failure to pay for the annual permit shall be grounds for revocation of a permit.

C. There may be one (1) annual inspection each year by the Zoning Officer, or designee, of home occupations issued a home occupation permit. In addition, the Zoning Officer, or designee, shall have the right, at any time, upon reasonable request, to enter and inspect the premises covered by said permit for compliance purposes.

7. Existing home occupations. Any person engaged in a home occupation at the time of the passage of this ordinance shall have a period of ninety (90) days from said date to apply for a home occupation permit, subject to the following:

A. The applicant must provide adequate proof that he or she has been engaged in a home occupation prior to the date this ordinance was passed.

B. The applicant must provide adequate proof that the home occupation met the Township requirements in effect at the time the home occupation was established.

SECTION 2111. SOLAR ENERGY SYSTEMS

See Section 2523.

SECTION 2112. GARDEN PONDS

1. Such pond shall be located a minimum of 10 feet from all property lines and shall be permitted in the required front yard.

2. Garden ponds shall require a zoning permit.
3. Garden ponds that utilize electricity for lighting, fountains, etc., shall require a building permit.

SECTION 2113. FARMERS MARKETS (Added by Ordinance 2016-06, dated 3/28/2016)

1. The farmers market area shall be setback from any street line or property line a minimum of twenty (20) feet and a minimum of thirty (30) feet from the principal building wall(s).
2. The farmers market shall be located within forty (40) feet of the use to which it is permitted as an accessory use.
3. The applicant shall demonstrate that ample off-street parking exists in existing parking areas located a maximum of six hundred (600) feet from the market area. A farmers market will not be permitted on a property where a variance of off-street parking or relief through the Parking Demand Needs Assessment has been previously granted by the Township.
4. The farmers market shall not be located within any designated clear sight triangle, access drive travel lane or parking lot aisle.
5. The farmers market shall not adversely impact the health, safety, and welfare of the Township.
6. Operations including set up and removal shall be limited to two (2) days per week during daylight hours and shall not cover a period greater than 6 months.
7. No permanent structures shall be erected in connection with the farmer's market. Market materials such as stands, booths, and tables shall be removed at the conclusion of the market day.
8. Any structure shall comply with the building height regulations for accessory uses.
9. The farmers market may not obstruct sidewalks, pathways or any pedestrian walkway.
10. At least ninety (90) percent of the products for sale shall be farm products.

11. The area of the farmers market shall be limited to 4,000 square feet.
12. Market vendors shall comply with all applicable local, state and federal regulations.
13. Additional signage shall comply with Article XIII, Signs.

SECTION 2114. BEEKEEPING

1. In any zoning district, beekeeping is permitted as an accessory use, provided it is on a noncommercial basis. Hives shall be located in the rear yard at least ten (10) feet from any lot line, and no closer than fifty (50) feet to the nearest dwelling other than that of the owner.
2. Any beekeeper shall provide documentation that they are in compliance with the Pennsylvania's Bee Law, 3 Pa. C.S.A. §§ 2101-2117, which requires the owner of an apiary located in Pennsylvania to register the apiary with the Pennsylvania Department of Agriculture.

ARTICLE XXII. GENERAL REGULATIONS (Amended by Ordinance 2021-04, dated June 28, 2021)

SECTION 2201. UNSAFE DWELLINGS, STRUCTURES OR LAND

1. No dwelling or structure or land shall be used or occupied if such dwelling or structure or land, as determined by the Board of Commissioners or appointed representatives, is in need of structural repairs or is unsafe or unsanitary, if the premises do not have connection with a public sewer system or alternative sanitary sewage facilities approved by the State or Local Board of Health, or if pertinent laws, ordinances, or codes of any governmental body having jurisdiction shall not have been complied with. This includes the International Building Code (IBC) and the National Electric Code, which Manheim Township has officially adopted.
2. No dwelling or structure or land shall be permitted to be left in an unsafe or unsanitary condition.

SECTION 2202. VISIBILITY AT STREET INTERSECTIONS

The clear sight triangle as specified in the Subdivision and Land Development Ordinance, shall be provided and maintained at all street intersections. The triangle shall be established by measuring one hundred (100) feet or seventy-five (75) feet as defined in the Subdivision and Land Development from the point of intersection of the center lines of the streets. No building, planting, fencing, or other obstruction that would obscure the vision of a motorist shall be permitted within the area.

SECTION 2203. REMOVAL OF NATURAL RESOURCES

Removal of surface and subsurface natural resources, except trees and other vegetative growth, shall not be permitted, except as follows:

1. As part of the construction or alteration of a building or the grading incidental to a building.
2. In connection with normal lawn preparation and maintenance.
3. In connection with the construction or alteration of a street or utility improvement.
4. In farming operations, provided sound soil conservation practices are observed.

SECTION 2204. PUBLIC UTILITIES AND MUNICIPAL USES

1. Public Utilities.
 - A. This ordinance shall not apply to any existing or proposed building, or extension thereof, used or to be used by a public utility corporation, if, upon petition of the corporation, the Pennsylvania Public Utility Commission shall, after a public hearing, decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public.
2. Public Uses and Municipal Uses.

- A. Any structure or other improvement for the purpose of servicing a public utility or municipal use, except common or contract carriers, may be erected within any zoning district. If requested by the Township, public utilities shall file a plan with the Township, indicating the location of all proposed structures and rights-of-way within the Township.

SECTION 2205. CORNER LOTS

A corner lot shall have two (2) front yards, and a front yard setback shall be required for each.

SECTION 2206. REQUIRED YARDS

- 1. The minimum required yard as set forth in underlying districts or overlays shall remain unoccupied and unobstructed from the ground up, except as may be specifically provided for in this ordinance.
- 2. Permitted encroachments into required yards.
 - A. Cornices, eaves, chimneys, steps, stoops, canopies, fire escapes, required basement egress structures, and similar extensions from an existing building that utilize such building for support may project up to a maximum of five (5) feet into any required yard, but in no case shall be closer than five (5) feet to any property line.
 - B. Enclosed porches, decks, and patios shall be considered part of or immediately adjacent to the principal building and shall not project into any required yards.
 - C. The following are permitted within the required setbacks: minor public utility structures, public transit shelters, fences, freestanding walls, hedges, and retaining walls.
- 3. Build-to lines. In order to provide for visual diversity and interest along a streetscape:
 - A. Up to ten (10) percent of the buildings along a street may be offset from the build-to line a maximum of two (2) feet. Where such variation in build-to line is provided, it shall be clearly delineated on the plan.
 - B. A maximum of forty (40) percent of an individual building facade may be offset from the build-to line a maximum of four (4) feet in order to allow for recesses, courtyards, plazas, or the like.
 - C. Projections and cantilevered sections of a building shall encroach on the established build-to line for the block a maximum of four (4) feet.

SECTION 2207. LOT WIDTH, DEPTH, AND AREA EXCEPTIONS FOR LOTS OF RECORD

A conforming building may be constructed for a conforming use on any lot or parcel of land of record at the effective date of this ordinance, regardless of the area, depth, and width of such lot, provided such lot or parcel, at the time of passage of this ordinance, is shown to be a separate and distinct numbered lot of record on a previously approved plan of lots which has been recorded or which depicts streets or alleys which have been legally dedicated to public use, and provided the height limitations, maximum building footprint, and building setback regulations prescribed in this ordinance are complied with.

SECTION 2208. BUILDING HEIGHT EXCEPTIONS

All buildings and structures shall be subject to the maximum height regulations specified elsewhere in this ordinance, except chimneys, spires, farm buildings and farm accessory buildings, towers, elevator penthouses, cupolas, clock towers, steeples, water tanks, antennas, and flagpoles. The height of any such projection shall not exceed eighty-five (85) feet, except with respect to agricultural silos; however, the permitted height limits are also subject to applicable Federal Aviation Regulations, Part 77, regarding objects affecting navigable airspace.

SECTION 2209. ARTERIAL AND MAJOR COLLECTOR ROADS

For the purpose of this ordinance, the following roads shall be classified as arterial, limited access highways and major collector roads:

- Fruitville Pike
- Harrisburg Pike
- Lititz Pike (PA Route 501)
- Manheim Pike (PA Route 72)
- New Holland Pike (PA Route 23)
- Oregon Pike (PA Route 272)
- U.S. Route 222
- U.S. Route 283
- U.S. Route 30

SECTION 2210. FLOODPLAIN REGULATIONS

All floodplain areas shall be subject to the Floodplain Management Ordinance and the requirements of Article XXIV.

SECTION 2211. DRIVEWAYS

1. The maximum width of a driveway shall be thirty (35) feet. This width shall be measured at the point where the driveway meets the right-of-way line of a public road.
2. No driveway shall be permitted within three (3) feet of any side or rear property line.
3. A driveway shall be surfaced with an all-weather, durable and dustless material. Such material shall extend the full width of the driveway. Any portion of a driveway constructed within the public right-of-way shall be constructed to the approved standards of the Township or PennDOT.
4. Refer to Section 2012.

SECTION 2212. VEHICULAR ACCESS; FLAG LOTS

1. Direct vehicular access to a residential property shall be provided by means of an abutting improved public street or permanently maintained private street which is protected by a permanent easement.

2. Flag lots shall not be permitted, except as specified within the Planned Residential Development provisions.

SECTION 2213. SPECIAL BUILDING SETBACK REQUIREMENTS

The following minimum building setback requirements shall be applicable for the various roads as listed in accordance with the applicable T-Zone Overlay regulations. The building setback requirement shall be measured from the existing or required right-of-way line of the road.

Road Name	Setback Distance (feet)
East Oregon Road (PA Route 722)	40
Fruitville Pike	40
Harrisburg Pike	50
Lititz Pike (PA Route 501)	50
Manheim Pike (PA Route 72)	50
New Holland Pike (PA Route 23)	50
Oregon Pike (PA Route 272)	40
Petersburg Road, from Koser Road to West Oregon Road (PA Route 722)	40
U.S. Route 30	50
U.S. Route 222	50
U.S. Route 283	50
West Oregon Road	40

SECTION 2214. AIRPORT SAFETY ZONE

1. Purpose and intent.
 - A. State and federal law require the limitation of building and structural height in airport hazard areas.
 - B. Areas within Manheim Township have been identified as being within the airport hazard area of the Lancaster Airport, as defined in the Pennsylvania Aviation Code, and require special height controls.
 - C. These height restrictions are aimed at preventing the erection of structures that would interfere with or obstruct normal airplane approaches or airport operations. Such interference or obstruction would pose a threat to the health, safety, welfare, and convenience of the residents of the Township, as well as passengers aboard airport aircraft.
 - D. The Airport Safety Zone is used to impose needed height restrictions as an overlay

zoning district, thereby enhancing public safety and minimizing disruption of existing zoning policies.

2. Lands in zone defined.
 - A. The Township's Airport Safety Zone includes areas within Manheim Township depicted on the "Airport Hazard Area for Lancaster Airport." A copy of this map is available at the Township Municipal Office.
 - B. Two separate zones have been identified.
 - (1) Airport Safety Zone 1 includes areas most seriously affected by the airport operations. Areas contained within Airport Safety Zone 1 are located in such close proximity to airport runway approaches that this ordinance's normal permitted structural height (35 feet) could pose a safety hazard. Accordingly, height restrictions are strict, and review of proposed development is carefully scrutinized.
 - (2) Airport Safety Zone 2 includes areas just beyond Airport Safety Zone 1 and outlying areas that have particularly high elevations. These areas include those that cannot support structures that are higher than thirty-five (35) feet up to the maximum permitted structural height identified in Section 2208. Within this zone, regulations permit the placement of thirty-five (35) foot-high structures but require special review for structures higher than thirty-five (35) feet.
3. Relationship to other articles. The Airport Safety Zone represents an overlay zoning district that is concerned only with permitted heights. The underlying zoning district shall prescribe all other zoning-related standards and uses. In those instances where the Airport Safety Zone prescribes a height restriction different than that imposed by the underlying zoning district, the most restrictive standard shall apply.
4. Regulations within Airport Safety Zone 1. Any proposed use which involves the construction, erection or projection of a building or structure above the natural land grade shall require the following before a building permit can be issued by the Zoning Officer:
 - A. The applicant shall submit such plans, drawings, and blueprints as are reasonably necessary to ascertain the height of any proposed building or structure to the Lancaster Airport Authority for a review by the Authority for compliance with Federal Aviation Regulation No. 77. Upon receipt of a report from the Authority, the applicant shall then submit the plans, drawings, and specifications to the Zoning Officer and shall furnish the Zoning Officer with the report from the Authority, stating the results of its review. In the event that the Authority fails to issue a report within 45 days of receipt of all information necessary to make a compliance review, the applicant may submit a certification from a professional engineer stating that the engineer has reviewed the applicant's plans, drawings, and specifications and has examined Federal Aviation Regulation No. 77 and this ordinance and that the proposed use does not violate Federal Regulation No. 77. The Zoning Officer shall then determine if the proposed use is in compliance with Federal Aviation Regulation No. 77.

- B. If the Zoning Officer determines that the application does comply with Federal Aviation Regulation No. 77 and all other applicable provisions of this ordinance, he shall issue a building permit. If the Zoning Officer determines that the proposed use does not comply with Federal Aviation Regulation No. 77, then the Zoning Officer shall deny the application for a building permit. The applicant shall have the right of appeal to the Zoning Hearing Board, as elsewhere provided herein.
 - C. No variances to the height limitations set forth in Federal Aviation Regulation No. 77 will be granted by the Zoning Hearing Board without expressed written consent thereto from the Federal Aviation Administration. Such consent is to be obtained by the applicant. In addition, the applicant shall notify the Pennsylvania Department of Transportation of the applicant's intent to request a permit or any variances. Such notification shall be in written form and be sent so as to reach the Department at least ten (10) days before the application is to be submitted.
5. Regulations within Airport Safety Zone 2. Any proposed use involving structural height up to and including thirty-five (35) feet shall be permitted by right. Any proposed use which involves the construction, erection, or projection of a building, structure, or any other object exceeding thirty-five (35) feet in height shall require the following before a building permit can be issued by the Zoning Officer:
- A. The applicant shall submit such plans, drawings, and specifications as are reasonably necessary to ascertain the height of any proposed building or structure to the Lancaster Airport Authority for a review by the Authority for compliance with Federal Aviation Regulation No. 77. Upon receipt of a report from the Authority, the applicant shall then submit the plans, drawings, and specifications to the Zoning Officer and shall furnish the Zoning Officer with the report from the Authority, stating the results of its review. In the event that the Authority fails to issue a report within forty-five (45) days of receipt of all information necessary to make a compliance review, the applicant may submit a certification from a professional engineer stating that the engineer has reviewed the applicant's plans, drawings, and specifications and has examined Federal Aviation Regulation No. 77 and this ordinance and that the proposed use does not violate Federal Regulation No. 77. The Zoning Officer shall then determine if the proposed use is in compliance with Federal Aviation Regulation No. 77.
 - B. If the Zoning Officer determines that the application does comply with Federal Aviation Regulation No. 77 and all other applicable provisions of this ordinance, he shall issue a building permit. If the Zoning Officer determines that the proposed use does not comply with Federal Aviation Regulation No. 77, then the Zoning Officer shall deny the application for a building permit. The applicant shall have the right of appeal to the Zoning Hearing Board, as elsewhere provided herein.
 - C. No variances to the height limitations set forth in Federal Aviation Regulation No. 77 will be granted by the Zoning Hearing Board without expressed written consent thereto from the Federal Aviation Administration. Such consent is to be obtained by the applicant. In addition, the applicant shall notify the Pennsylvania Department of Transportation of the applicant's intent to request a permit or any variances. Such notification shall be in written form and be sent so as to reach the Department at least

ten (10) days before the application is to be submitted.

SECTION 2215. OBSCENITY

Obscenity shall be prohibited in all zoning districts in the Township.

SECTION 2216. OWNERSHIP, ADMINISTRATION AND MAINTENANCE OF COMMON OPEN SPACE

The method utilized for ownership, administration and maintenance of common open space shall be approved by the Board of Commissioners.

1. The ownership, administration and maintenance of common open space shall be arranged to be in accordance with one or more of the following:
 - A. The Township may accept dedication of common open spaces or any interest therein for public use and maintenance, for no consideration to be paid by the Township. Unless waived by the Board of Commissioners at time of approval, the Township shall have the option to accept all or any portion of the common open space at any time within ten (10) years of the recording of the final subdivision plan for the development. The final plan shall contain a note, in language acceptable to the Township Solicitor, that the common open space is irrevocably offered for dedication to the Township for a period of ten (10) years from the date of the recording of the final plan. Said note shall also state that the Township shall have no duty to maintain or improve the dedicated common open space unless and until it has been accepted by formal action of the Board of Commissioners.
 - B. The landowner may establish an automatic-membership homeowners' or community association made up of the owners of property in the Planned Residential Development, or other development where common amenities are provided, as a nonprofit corporation, for the purpose of owning, administering and maintaining common open space; provided, however, the association shall not be dissolved nor shall it dispose of the common open space by sale or otherwise (except to an organization conceived and established to own, administer and maintain common open space approved by the Board of Commissioners) without first offering the common open space for dedication to the Township. The property owners' association shall be empowered to levy and collect assessments from the property owners of the planned residential development to cover replacements, working capital, operating expenses, insurance against casualty and liability, and contingencies.
 - C. The landowner may establish a deed or deeds of trust, approved by the Board of Commissioners, for the purpose of owning, administering and maintaining common open space, with the trustee empowered to levy and collect assessments from the property owners of the Planned Residential Development, or other development

where common amenities are provided, to cover replacements, working capital, operating expenses, insurance against casualty and liability, and contingencies.

- D. With permission of the Township, and with appropriate deed restrictions in favor of the Township and in language acceptable to the Township Solicitor, the developer may transfer the fee simple title in the common open space or a portion thereof to a private, nonprofit organization among whose purposes is the conservation of open space land and/or natural resources, provided that:
 - (1) The organization is acceptable to the Township and is a bona fide conservation organization with a perpetual existence;
 - (2) The conveyance contains appropriate provisions for proper retransfer or reverter in the event that the organization becomes unable to continue to carry out its functions; and
 - (3) A maintenance agreement acceptable to the Township is entered into by the developer, organization and Township.
 - E. If a portion of the common open space is to be used for agricultural purposes, that portion of the common open space may be transferred to a person or other entity who will farm the land. Prior to the transfer of any common open space for agricultural purposes, a permanent conservation easement in favor of the Township, in language acceptable to the Township Solicitor, shall be imposed against such land. The conveyance shall contain appropriate provisions for the retransfer or reverter to the Township or any association or trustee holding the remainder of the common open space in the event the land ceases to be used for agricultural purposes.
 - F. If a portion of the common open space is to be used for an existing cemetery or a cemetery proposed as part of a house of worship, that portion of the common open space may be transferred to a religious organization, cemetery corporation, or other similar entity which will operate or maintain the cemetery. Prior to the transfer of any common open space for cemetery purposes, a permanent deed restriction in favor of the Township, in language acceptable to the Township Solicitor, shall be imposed against such land. The conveyance shall contain appropriate provisions for the retransfer or reverter to the Township or any association or trustee holding the remainder of the common open space in the event the land is not used for cemetery purposes.
2. In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time fail to maintain the common open space in reasonable order and condition in accordance with the development plan, the Board of Commissioners may serve written notice upon such organization or upon the landowners/residents of the development setting forth the manner in which the organization has failed to maintain the common open space in reasonable condition, and said notice shall include a demand that such deficiencies of maintenance be corrected within thirty (30) days thereof, and shall state the date and place of a hearing thereon which shall be held within fourteen (14) days of the notice. At such hearing, the Board of Commissioners may modify the terms of the original notice as to the deficiencies and may give an extension of

time within which they shall be corrected. If the deficiencies set forth in the original notice or in the modifications thereof shall not be corrected within said thirty (30) days or any extension thereof, the Board of Commissioners, in order to preserve the taxable values of the property within the development and to prevent the common open space from becoming a public nuisance, may enter upon the common open space and maintain the same for a period of one (1) year. Said maintenance by the Township, as directed by the Board of Commissioners, shall not constitute a taking of said common open space, nor vest in the public any rights to use the same. Before the expiration of said year, the Board of Commissioners shall, upon its initiative or upon the request of the organization theretofore responsible for the maintenance of the common open space, call a public hearing upon notice to such organization, or to the landowners/residents of the development, to be held by the Board of Commissioners or its designated agency, at which hearing such organization or the residents/landowners of the development shall show cause why such maintenance by the Township shall not, at the option of the Township, continue for a succeeding year. If the Board of Commissioners, or its designated agency, shall determine that such organization is ready and able to maintain the common open space in reasonable condition, the Township shall cease to maintain said open space at the end of said year. If the Board of Commissioners or its designated agency shall determine that such organization is not ready and able to maintain said common open space in a reasonable condition, the Township may, in its discretion, continue to maintain said common open space during the next succeeding year and, subject to a similar hearing and determination, in each year thereafter. The decision of the Board of Commissioners shall be subject to appeal to court in such manner and within the same time limitation as is provided for zoning appeals by the Pennsylvania Municipalities Planning Code, as amended or supplemented. The cost of maintenance of such common open space by the Township shall be assessed ratably against the properties within the development that have a right of enjoyment of the common open space and shall become a lien on said properties. The Township, at the time of entering upon said common open space for the purpose of maintenance, shall file a notice of lien in the office of the Prothonotary of Lancaster County, Pennsylvania, upon the properties affected by the lien within the development.

SECTION 2217. REGIONAL STORMWATER FACILITY

1. Any stormwater management facility designed as a regional stormwater facility may be constructed within any Zoning District or T-Zone Overlay except for the agricultural district provided the stormwater management facility is designed in conformance with the Stormwater Management Ordinance.

ARTICLE XXIII. HISTORIC OVERLAY DISTRICT

SECTION 2301. PURPOSE; INTENT

The purpose of the Historic Overlay District is to promote, protect and facilitate the general welfare of Manheim Township by preserving the natural and historic features and resources in the Township's environment and implement MPC Sections 603(b)(5), 603(g)(2), 604(1) and 605(2)(vi), regarding the protection and preservation of natural and historic features and resources. The intent of the Historic Overlay District is to establish review procedures for proposed changes affecting natural and historic features and resources, encourage mitigation of any negative effects of proposed changes to natural and historic resources, encourage continued use and facilitate appropriate adaptive reuse of historic resources, encourage the preservation and restoration of historic settings and landscapes, and discourage the demolition of historic resources.

SECTION 2302. APPLICABILITY; EXPLANATION OF PROVISIONS

1. Historic Overlay District. The Historic Overlay District shall be comprised of the historic resources shown on the Historic Resources Map provided for in the Lancaster County Comprehensive Historic Site Survey. The district shall be deemed an overlay on any zoning district now or hereafter enacted to regulate the use of land in Manheim Township. For any property in the Historic Overlay District, the provisions of this article, to the extent such provisions are more restrictive, shall supersede conflicting provisions of the underlying zoning district. However, all other provisions of this ordinance and all other ordinances of the Township shall remain in full force. Should any or all provisions of the Historic Overlay District become inapplicable as a result of legislative, administrative or judicial action, the provisions of the underlying zoning districts shall apply.
2. Preservation of other restrictions. It is not intended by the article to repeal, abrogate, or impair any existing Township regulations. However, where this article imposes greater restrictions, the provisions of this article shall prevail.

SECTION 2303. HISTORIC RESOURCES

1. Classification. The historic resources which may be included in the Historic Overlay District shall be as follows:
 - A. Class I.
 - (1) Historic resources listed on, or eligible to be listed on, the National Register of Historic Places maintained by the United States Department of the Interior (A final determination of eligibility for the National Register shall be based on an official opinion of eligibility form the Pennsylvania Historical and Museum Commission or a determination of eligibility from the United States Department of the Interior.); or
 - (2) Historic resources listed on, or determined by the Historic Preservation Trust to be eligible to be listed on, the Lancaster County Historic Sites Register as having Levels of Significance I or II.

2. Historic Resources Map. The Historic Overlay District shall be identified as those properties included on the Historic Resources Map. The Official Historic Resources Map shall be filed in the Township office and shall be maintained by the Township Manager-Secretary.
3. Historic resources list. There shall be an official list of all historic resources shown on the Historic Resources Map and included in the Historic Overlay District. The Township Manager-Secretary shall maintain the official copy of the historic resources list. This list shall include at least the following information about each historic resource: present name, historic name, street address or exact location, description of extent of site (e.g., building only, portion of parcel of land and all buildings thereon, or entire parcel of land and all buildings thereon), site number from Lancaster County Historic Sites Inventory, classification (e.g., Level of Significance I, Level of Significance II, Level of Significance III or Level of Significance IV), and whether listed on the National Register of Historic Places.
4. Establishment and amendments. The Historic Resources Map and historic resources list shall be established and amended by official action of the Board of Commissioners. Prior to any amendment of the Historic Resources Map and historic resources list, the following criteria shall be met:
 - A. The Board of Commissioners shall request a written recommendation from the Historic Preservation Trust.
 - B. The owners of any properties which are subject to such action shall be given written notice of the proposed action and a copy of the Historic Preservation Trust's recommendations, if any, at least ten (10) days prior to the meeting at which the public hearing is scheduled.
 - C. The Board of Commissioners shall enact an ordinance to amend this ordinance in accordance with the procedures set forth in the Pennsylvania Municipalities Planning Code.

SECTION 2304. HISTORIC PRESERVATION TRUST

1. Advisory role. The Historic Preservation Trust's advisory role in the administration of this article shall include, but not be limited to, making recommendations concerning establishment of or amendments to the Historic Resources Map and historic resources list; making recommendations concerning requests for special exceptions, conditional uses, or variances affecting historic resources; making recommendations concerning rehabilitation, alteration, or enlargement of historic resources; making recommendations on demolition of historic resources; and performing any other lawful activities which shall be deemed necessary to further the purposes of this article.
2. Review and recommendation schedules. Unless specified to the contrary elsewhere in this article, the Historic Preservation Trust shall make all recommendations within thirty (30) days of receiving a request.

SECTION 2305. MODIFICATION TO LOT AREA REGULATIONS

The subdivision of a lot which contains an historic resource of any level of significance as

identified in the Lancaster County Comprehensive Historic Site Survey shall be accomplished in such a manner that the resulting lot which will contain the historic resource is of adequate size and configuration to preserve the integrity of the setting of the resource. The size and configuration of the subdivided lot shall depend on the level of significance of the historic resource and the characteristics of the landscaping of the subdivided lot and the adjacent lots.

SECTION 2306. STANDARDS FOR REHABILITATION

1. Standards for rehabilitation. Any proposed rehabilitation, alteration, or enlargement of a Class I historic resource should be, whenever reasonably possible, in substantial compliance with the United States Secretary of the Interior's "Standards for Rehabilitation," as reproduced below:
 - A. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
 - B. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
 - C. Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 - D. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
 - E. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize an historic property shall be preserved.
 - F. Deteriorated historic features shall be repaired rather than replaced. Where the severity of the deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.
 - G. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
 - H. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 - I. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
 - J. New additions and adjacent or related new construction shall be undertaken in such a

manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

2. Review. The Zoning Officer shall refer applications for permits which propose rehabilitation of Class I historic resources to the Historic Preservation Trust. The Historic Preservation Trust shall review applications for permits and make written recommendations to the Zoning Officer.

SECTION 2307. PERMITS

1. Permits. No permit required by Section 2703 of this ordinance for any land within the Historic Overlay District shall be issued by the Zoning Officer prior to the Historic Preservation Trust having an opportunity to review and make recommendations on the permit application.
2. Review and recommendations. The Zoning Officer shall provide to the Historic Preservation Trust with a copy of the permit application, together with any plans or diagrams required by this ordinance, within five (5) days of receipt of a complete application. The Historic Preservation Trust shall make written recommendations to the Zoning Officer, with a copy to be sent to the applicant, indicating whether the plans will have any detrimental effect on the architectural integrity or public enjoyment of an historic resource. The report shall indicate what specific changes in the plans can be made to mitigate any detrimental effect.
3. Issuance of permit. If the plans satisfy all other requirements of the Township, the Zoning Officer shall issue the permit upon receiving a report of no detrimental effect from the Historic Preservation Trust; upon the plans having been revised by the applicant in accordance with the recommendations of the Historic Preservation Trust to mitigate any detrimental effect; or not later than ninety (90) days from the date of the permit application.

SECTION 2308. DEMOLITION OF HISTORIC RESOURCES

1. Demolished by neglect. No Class I historic resource shall be demolished by neglect. Demolition by neglect includes leaving a building or structure open or vulnerable to vandalism or decay by the elements. Unoccupied structures shall be properly protected against weather and vandalism.
2. Demolition permit. No Class I historic resource shall be demolished, in whole or in part, including the indiscriminate removal or stripping of any significant interior or exterior architectural features, unless a permit is obtained from the Zoning Officer in accordance with the procedures and requirements of this section and other applicable standards and procedures of the Township.
3. Demolition application requirements for historic resources. In addition to any other applicable standards and procedures of the Township, any applicant seeking a permit to demolish an historic resource shall provide the following information or documents with regard to that historic resource:
 - A. Owner of record.
 - B. Classification in Historic Resources Map.

- C. Site plan showing all buildings and structures on the property.
 - D. Recent photographs of the resource proposed for demolition.
 - E. Reasons for the demolition.
 - F. Method of demolition.
 - G. Future uses of the site and of the materials from the demolished resource.
4. Review by Historic Preservation Trust. The Zoning Officer shall provide the Historic Preservation Trust with a copy of the application for demolition within five (5) days of acceptance of a properly completed application. The Historic Preservation Trust may make recommendations as indicated below.
 5. Recommendation of the Historic Preservation Trust.
 - A. The Historic Preservation Trust may recommend immediate approval of the permit and may so advise the Zoning Officer.
 - B. The Historic Preservation Trust may elect to use the following time period to provide adequate opportunity for documentation of the historic resource or for discussion with the applicant with respect to alternatives to demolition:
 - (a) Class I historic resources: a maximum of seventy-five (75) days from the date of application.
 - C. Within the time period stipulated in Section 2308.5. (B), the Historic Preservation Trust may recommend approval of the demolition permit. The Zoning Officer may issue the permit in accordance with any applicable standards and procedures.
 - D. In all cases, the Zoning Officer shall act upon an application to demolish an historic resource within ninety (90) days of receipt of a complete application for a demolition permit.

SECTION 2309. ADAPTIVE REUSE

1. Legislative intent. It is the intent of this section to provide for the adaptive reuse of existing historic buildings in order to promote, protect, enhance, perpetuate, and preserve those historic resources for the educational, cultural, economic, enjoyment, and general welfare of the public. The Board of Commissioners recognizes that existing historic buildings have not been designed in accordance with the requirements of this ordinance, and that restricting and limiting such historic buildings to the uses and regulations which would be imposed on newly constructed buildings limits the use of such historic buildings. By allowing flexibility and adaptive reuse, the Board of Commissioners believes that historic buildings can be put to profitable use and thereby be maintained and preserved for future generations. Such adaptive reuse, however, must be carefully monitored in order to insure there will be no adverse effect upon the neighborhood.
2. Authorization for adaptive reuse. Within all business districts and industrial districts, an historic building shown on the Official Historic Resources Map and located within the Historic Overlay District pursuant to Section 2302 of this ordinance and which is listed at

Significance Level I, II, or III in the Lancaster County Historic Sites Inventory may, by conditional use approval, be put to an adaptive reuse if all requirements of this section are met.

3. Permitted uses. Any historic building which shall be put to an adaptive reuse shall contain a combination of residential and nonresidential uses meeting the ratio set forth in Section 2309.4 below. Permitted uses shall be limited to the following:
 - A. Day-care centers.
 - B. Apartment dwellings.
 - C. Banks and similar financial institutions.
 - D. Commercial recreational facilities.
 - E. Educational institutions.
 - F. Bed-and-breakfast.
 - G. Offices, professional and medical/dental.
 - H. Public utility installations.
 - I. Restaurants, excluding drive-in/drive through restaurants, provided that the physical location of such facility shall be at least one hundred (100) feet from adjacent residential properties, unless outdoor dining is offered, in which case the facility shall be two hundred (200) feet from adjacent residential properties.
 - J. Retail sales and retail services, provided that such retail uses shall be compatible with other permitted uses and shall not include convenience stores, supermarkets, motor vehicle stations or garages, motor vehicle sales areas or buildings, body art establishments or adult establishments, and further provided that no single such establishment shall exceed five thousand (5,000) square feet in gross floor area, and the aggregate total of retail sales and retail services shall not exceed thirty (30) percent of the total gross floor area of the historic building.
 - K. All other uses permitted in the underlying zoning district.
 - L. Uses customarily accessory and incidental to any permitted use.
4. Required ratio of residential and nonresidential uses. Subject to the limitations in Section 2309.3.(J) for retail sales and retail services, the nonresidential use of an historic building which will be converted to an adaptive reuse shall be a minimum of five hundred (500) square feet of gross nonresidential floor area per apartment dwelling, except that a bed-and-breakfast shall be exempt from this requirement.
5. Minimum standards for allowance of adaptive reuse.
 - A. Sewer and water. Both public sewer and public water service are required.
 - B. Access. The tract containing the historic building must abut and have access to a public roadway.

- C. Minimum lot area, width and depth: none, except as based upon required minimum yard dimensions, minimum open area, minimum off-street parking requirements and other applicable standards contained within this section.
 - D. Minimum yard dimensions for an historic building which will be subdivided and located on a separate lot or for an historic building which will be part of a land development with other principal buildings on the same lot (all subject to Section 2213 of this ordinance):
 - (1) Front yard: Twenty-five (25) feet.
 - (2) Side yard, each side: Twenty-five (25) feet, provided that if the lot is adjacent to a residential district, the side yard shall be seventy-five (75) feet along the side contiguous with the residential district.
 - (3) Rear yard: Twenty-five (25) feet, provided that if the lot is adjacent to a residential district, the rear yard shall be seventy-five (75) feet along the side contiguous with the residential district.
 - (4) Perimeter buffer: Ten (10) feet.
 - E. Buffering/screening/landscaping/lighting. At a minimum, all buffering, screening, landscaping and lighting shall be provided in accordance with Section 2507, Section 2511, Section 2512 and Section 2513 of this ordinance.
 - F. Minimum open area: Thirty (30) percent.
 - G. Off-street parking. Off-street parking shall be provided in accordance with Article XX of this ordinance.
6. Application procedure. An applicant who desires conditional use approval for an adaptive reuse shall submit an application which shall include all of the following:
- A. A conceptual site plan for the entire lot on which the historic building is located, which shall include all of the following information:
 - (1) Lot boundaries and adjacent landowners. If the historic building will be located on a lot which will be subdivided from a larger lot, the site plan must show the boundaries of the existing lot and the proposed lot. If the historic building is located on a lot containing other principal structures and will not be subdivided into a separate lot, the site plan must show how the historic building will meet all setbacks from other principal structures identified in Section 2309.5.
 - (2) A location map for the adaptive reuse.
 - (3) North point, scale and date.
 - (4) Streets on and adjacent to the tract.
 - (5) Significant topographical and physical features.
 - (6) Size and location of existing structures.
 - (7) Identification of proposed demolition of existing structure(s).

- (8) Identification of generalized land uses.
 - (9) Potential lot configuration.
 - (10) Proposed landscaping, screening and buffering.
 - (11) Proposed interior street or access drive layout and parking lot configuration.
 - (12) Proposed interior circulation plan for vehicular and pedestrian traffic.
- B. A traffic study prepared by a qualified traffic engineer meeting the requirements of the Subdivision and Land Development Ordinance.
 - C. Evidence that the site plan has been submitted to the Historic Preservation Trust of Lancaster County for review and comment.
 - D. Narrative identifying all of the proposed uses for the historic building, including the area to be devoted to each use.
 - E. A floor plan of the historic building indicating the portions of the historic building that will be devoted to residential use, including floor area, and the portions that will be devoted to nonresidential uses, including floor area of each nonresidential use and the total floor area for all nonresidential uses.
 - F. Identification of how the adaptive reuse will contribute to the preservation of the historic building.
 - G. Required application fee.
7. Consideration of application for conditional use approval. The applicant shall demonstrate that the adaptive reuse proposal meets all of the applicable requirements of this Section 2309 of this Article XXIII and of this ordinance. The applicant shall also demonstrate and assure that the adaptive reuse is in substantial compliance with applicable requirements of the Secretary of the Interior's Standards for the Treatment of Historic Properties, with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings, published by the United States Department of the Interior, National Park Service, either by providing documentation from the Secretary of the Interior evidencing such compliance or by establishing to the satisfaction of the Board of Commissioners compliance with the following standards:
- A. The adaptive reuse shall require minimal change to the defining characteristics of the historic building and its site and environment.
 - B. Any alterations to the exterior features shall be limited but shall be permitted in order to enhance the function and reusability of the historic building. Any exterior alterations shall complement the existing architecture and functionality of the historic structure.
 - C. The exterior features of the historic building may be altered to provide or change ingress and egress or to address fire safety or emergency services concerns only to the extent required to meet applicable laws or regulations.
 - D. The historic character of the historic building shall be retained and preserved. The

- removal of historic materials or alteration of features and spaces that characterize a property shall be prohibited unless the applicant presents evidence that such removal is required to comply with applicable state or federal regulations.
- E. Each historic building shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 - F. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
 - G. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize an historic building shall be preserved.
 - H. The adaptive reuse shall not require demolition or removal of any historic resource on the lot.
 - I. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.
 - J. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Effect of approval of site plan. The Board of Commissioners, in approving a conditional use application for an adaptive reuse, shall make compliance with the site plan, together with all accompanying documents and any revisions thereto required by the Commissioners, part of the approval. The applicant shall develop the adaptive reuse in the manner set forth on the site plan, all accompanying documents, and any required revisions thereto, unless a change to the site plan is authorized in accordance with Subsection 8.A or B below.
- A. An applicant may make minor revisions to the site plan as may be necessary to accommodate fully engineered stormwater management facilities, public sewer facilities, public water facilities, floodplains, and changes to street or driveway design as may be required by PennDOT as part of a highway occupancy permit. The Board of Commissioners during the subdivision and/or land development process shall determine whether the applicant's proposed changes to the approved site plan constitute minor revisions necessary to accommodate fully engineered stormwater management facilities, public sewer facilities, public water facilities, floodplains, and changes to street or driveway design as may be required by the PennDOT as part of a highway occupancy permit. In the event a subdivision and/or land development plan is not required for the adaptive reuse, the Board of Commissioners shall review the plan which is submitted with the application for a building permit to determine whether it is consistent with the conditional use approval.

- B. An applicant who desires to make a change to an approved site plan which the Board of Commissioners determines does not constitute a minor revision authorized by Subsection 8.A above shall apply for and obtain an additional conditional use approval. The applicant shall demonstrate to the satisfaction of the Board of Commissioners during the additional conditional use approval process that such change will:
 - (1) Generally enhance the development plan or, in any case, not have an adverse impact on its physical, visual or spatial characteristics.
 - (2) Generally enhance the neighborhood or, in any case, not have an adverse impact on the neighborhood.
 - (3) Not result in any danger to the public health, safety or welfare by making access to the property by emergency vehicles more difficult, by depriving adjoining properties of adequate light and air or by violating the other purposes for which zoning ordinances are to be enacted under Section 604 of the Municipalities Planning Code
 - (4) Allow for equal or better results than the originally approved site plan and represent the minimum modification necessary.

- 9. Modification of standards. The Board of Commissioners may, by conditional use approval, permit the modification of the design standards set forth in this section and incorporated by reference into this section in order to encourage adaptive reuse and preservation of historic resources. An applicant desiring to obtain such conditional use approval shall, when making application for conditional use approval for an adaptive reuse, also make application for conditional use approval under this section. The Board of Commissioners shall consider both conditional use approval requests simultaneously. Any conditional use to permit a modification of the design standards for adaptive reuse shall be subject to the following requirements:
 - A. Such modifications of any design standards shall better serve the intended purposes and goals of adaptive reuse as expressed in Section 2309.1.
 - B. Such modifications of design standards will not result in any adverse impact to adjoining properties or future inhabitants within the historic building.
 - C. Such modifications will not result in an increase in residential or nonresidential densities permitted for the adaptive reuse.
 - D. Such modifications will not result in a removal of architectural features which characterize the historic building or adversely impact the nature of the historic resource as a whole.
 - E. The extent of any modification provides the minimum amount of relief necessary to ensure compliance with the preceding criteria in this Section 2309.

ARTICLE XXIV. T-ZONE OVERLAY AREAS (Amended by Ordinance 2020-15, dated July 27, 2020, Ordinance 2022-05, dated April 25, 2022)

SECTION 2401. PURPOSE

The purpose of the T-Zone Overlay Areas is as follows:

1. To address and incorporate the goals of the Manheim Township Comprehensive Plan.
2. To promote the efficient use of land within the urban and village growth areas of Manheim Township, thereby preserving agricultural areas outside of the designated growth areas.
3. To organize and enhance the form of development based on the rural to urban transect, where the development within each T-Zone Overlay Area has distinct physical characteristics, regardless of use, worthy of being preserved, promoted and emulated.
4. To encourage design compatibility between new development, infill and redevelopment and existing neighborhoods.
5. To enhance streetscapes throughout Manheim Township to become more pedestrian friendly.
6. To promote a greater mix of compatible uses and dwelling types throughout the Township.
7. To expand and enhance the open space and pedestrian network.
8. To provide focused provisions to address the unique needs of particular areas, such as the Villages of Neffsville and Oregon, highway regeneration along commercial corridors, the Lancaster Airport, and urban transition areas identified in the Manheim Township Comprehensive Plan.
9. To promote context-sensitive massing, proportion, height, articulation and detailing of buildings, streetscape elements, signage, and landscaping in accordance with Appendix A, Form-Based Code Standards.
10. To promote more appropriate development types in specific areas of Manheim Township as illustrated in Appendix B, Transformation Concepts.
11. To promote the use of best practices and sound land use planning principles in Planned Residential Development in accordance with Appendix C, Design Standards.
12. To promote the use of best practices and sound land use planning principles in accordance with Appendix D, Best Practices and Models.

SECTION 2402. APPLICABILITY; EXPLANATION OF PROVISIONS; SUPPLEMENTAL REGULATIONS

1. This article applies to all new development, change of use, and redevelopment, including development and redevelopment of accessory buildings and uses incidental to elementary and secondary schools, located within a T-Zone Overlay Area as described herein and shown on the T-Zone Overlay Area Map, which is incorporated herein by reference and made a part of this ordinance. The T-Zone Overlay Area Map is separated into eight distinct T-Zone Overlay Areas, each with specific regulations as set forth in this article and in Appendixes A, B, C, and D, particularly Table A-1, Applicability of Appendix A.

The T-Zone Overlay Areas are as follows:

- A.** T-1 Natural Resources Overlay Area (T-1).
- B.** T-4 Urban Neighborhood Overlay Area (T-4).
- C.** T-5 Oregon Village Overlay Area (T-5).
- D.** T-5 Neffsville Village Overlay Area (T-5).
- E.** T-6 Urban Transition Overlay Area (T-6).
- F.** D-Retrofit Overlay Area (D-R).
- G.** D-Airport Overlay Area (D-A).
- H.** D-Corridor Overlay Area (D-C).

2. All existing uses within the T-Zone Overlay Areas shall be governed by the applicable underlying zoning district regulations.

3. All subdivision, land development, and redevelopment located within a T-Zone Overlay Area as shown on the T-Zone Overlay Area Map shall be governed by and comply with the district regulations in this Article XXIV. Where such regulations conflict with those of the underlying district, these regulations shall supersede, unless otherwise specified. Where such regulations conflict with those governed by the Planned Residential Development regulations, the Planned Residential Development regulations shall apply. Where regulations are not specified herein, but are specified within the underlying district, the underlying district regulations shall rule.

4. Unless otherwise specified, the supplemental regulations found in Articles XVIII, XX, XXI, XXII, XXV and XXVI shall apply.

5. The design standards, transformation concepts, and best practices found in Appendixes A, B, C and D shall apply.

SECTION 2403. T-1 NATURAL RESOURCES OVERLAY AREA

1. Purpose. The following natural resource protection standards are established to protect the public health, safety, and welfare by minimizing adverse environmental impacts and are specifically authorized by Section 604 of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10604. These standards are intended to meet the following purposes:

- A.** Promote and implement Sections 603(c)(7), 603(g)(2), and 604(1) of the Act, providing for the protection and preservation of environmentally sensitive areas and natural resources through municipal zoning ordinances.
- B.** Define and delineate selected environmental resources within the Township and establish resource protection standards to assist the Township in reducing the impact proposed uses will have on the environment.
- C.** Conserve, protect, and preserve valuable natural resources within the Township in accordance with the goals and objectives of the Manheim Township Comprehensive Plan.

2. Applicability. It shall be a violation of this article to regrade, fill, pipe, divert, channel, build upon, or otherwise alter or disturb a natural resource protected by this section prior to the submission, review, and approval of an application for development.

A. Where disturbance of a natural resource is permitted, it shall not take place until it has been determined that such disturbance is consistent with the provisions of this section and other applicable article provisions.

B. Restrictions to the disturbance of resources shall apply before, during, and after construction on a site.

C. In the event that two or more natural resource areas identified in this section overlap, the resources with the most restrictive standard (the least amount of permitted alteration, regrading, clearing, or building) shall apply to the area of overlap.

3. Floodplains. All floodplain areas shall be subject to Chapter 265, Manheim Township Floodplain Management. Areas subject to flooding, as defined in Chapter 265, Manheim Township Floodplain Management, shall not be used to compute minimum lot area requirements, but may be used to compute density in Planned Residential Developments and apartment developments.

4. Riparian Buffers/Riparian Forest Buffers.

A. Delineation.

(1) The required riparian buffer or riparian forest buffer width shall be fifty (50) feet from the edge of all natural permanent or intermittent streams, rivers, brooks, runs, creeks, channels, swales, ponds, lakes or other body of surface water carrying or holding surface water or watercourse measured perpendicularly from the following reference points: top of bank of perennial streams, center line of intermittent streams, and mean water level of lakes and ponds. A riparian buffer or riparian forest buffer shall not be required adjacent to man-made swales or man-made detention facilities utilized solely for stormwater management from the project site.

(2) Where areas of the 100-year floodplain or a wetland abut the riparian buffer or riparian forest buffer, the riparian buffer or riparian forest buffer shall be extended to encompass the entire 100-year floodplain and wetland area.

B. Protection standards.

(1) Existing vegetated areas shall be preserved to the maximum extent possible, except that invasive species shall be removed and replaced with native species.

(2) The following uses shall have a minimum separation distance from the top of bank of any stream, floodplain, or wetland included in the riparian buffer or riparian forest buffer, unless a more stringent separation distance is required by the jurisdictional agency:

Minimum Separation
(As measured from top of stream bank)
(feet)

Use	
Septic drain fields and sewer disposal systems	100
Solid waste disposal facilities/junkyards	300
Petroleum storage facilities	150
Application of biosolids	100

(3) Filling, regrading or disturbance.

[a] Except as listed below, no filling, regrading, or disturbance shall be permitted within the Riparian Buffer or Riparian Forest Buffer outside of the floodplain:

[i] Provision for unpaved trail access.

[ii] A soil or stream conservation project, including reforestation and stream bank stabilization, approved by the Lancaster County Conservation District.

[iii] Livestock crossings; and

[iv] Infrastructure and public utilities.

[b] The above uses shall be permitted to disturb a maximum of five (5) of the Riparian Buffer or Riparian Forest Buffer.

(4) Areas of the Riparian Buffer or Riparian Forest Buffer within the floodplain shall be in accordance with Chapter 265, Manheim Township Floodplain Management.

(5) There shall be no disposal of trash or any other materials, except as permitted above, within the Riparian Buffer or Riparian Forest Buffer.

5. Wetlands.

A. Delineation. The applicant shall delineate the limits of wetlands on the site in accordance with the following:

(1) A full wetland delineation report conducted by a qualified wetland biologist, soil scientist, or environmental professional of demonstrated qualifications shall be submitted to Manheim Township. If there is a question as to the accuracy of the wetland delineation report, the Township may hire a qualified consultant to review the delineation and recommend revisions at the applicant's expense.

(2) Such a professional shall certify that the methods used correctly reflect the currently accepted technical concepts set forth and accepted by the U.S. Army Corps of Engineers, including

identification and analysis of wetland vegetation, hydric soils, and hydrologic indicators. Methods used in the delineation report shall be acceptable to the Township Engineer.

(3) The wetland report shall include a determination of whether wetlands are present or not present on the site and a full delineation, area measurement (in square feet), and description of any wetlands determined to be present.

(4) A wetlands delineation report shall identify areas where the following criteria are met, even if the report concludes that such areas do not meet the standards:

[a] Areas delineated as Wetlands in the National Wetlands Inventory and/or the 1990 Lancaster County Natural Areas Inventory.

[b] Areas consisting of one or more of the following soil types having a very high percentage of hydric components, as designated by the Natural

Resource Conservation Service:

[i] Bail silt loam (Ba).

[ii] Bowmansville silt loam (Bo).

[iii] Holly silt loam (Hg).

[iv] Towhee silt loam, 0% to 3% slopes (ToA).

[v] Watchung extremely stony silt loam, 0% to 8% slopes (WbB)B.

B. Resource protection standards.

(1) Any applicant proposing a use, activity, or improvement which would entail the regrading or placement of fill in wetlands shall provide the Township with proof that the PA DEP and the U.S. Army Corps of Engineers have been contacted to determine the applicability of state and federal wetland regulations. The applicant shall concurrently provide to the Township a copy of the application and any other wetlands information submitted to PA DEP and the U.S. Army Corps of Engineers.

(2) Wetlands shall not be regraded, filled, piped, diverted, channeled, built upon, or otherwise altered or disturbed except where state or federal permits have been obtained.

(3) Existing wetlands shall not be used for stormwater management, except where the wetlands are highly degraded, and a mitigation program is provided.

(4) A thirty-five (35) foot wetlands buffer shall be maintained around the wetland's boundary. This buffer shall be conserved for naturally occurring vegetation or the reestablishment of native plant species. No land disturbance is permitted within the wetlands buffer.

(5) No septic drain fields or sewage disposal systems shall be located within one hundred (100) feet of the wetlands boundary. The replacement of existing septic systems shall comply with the one hundred (100) foot setback, regardless of the location of the existing system.

SECTION 2404. T-4 URBAN NEIGHBORHOODS OVERLAY AREA

1. Permitted uses. Uses shall be permitted in accordance with the underlying Zoning District.

2. Area and bulk regulations:

A. Maximum building height: Thirty-six (36) feet, except that nonresidential or mixed-use building within one hundred fifty (150) feet of the T-6 Urban Transition Overlay Area, the D-C Corridor Overlay Area, or the D-R Retrofit Overlay Area shall be permitted to increase the maximum height to fifty (50) feet with the purchase of transferable development rights in accordance with Article XXVI. However, all structures are subject to Section 2208 and Section 2214 of this ordinance.

B. Build-to line.

(1) A build-to line shall be established for each development, or in the case of a Planned Residential District, for each block within the development. Such build-to line shall fall within the range of ten (10) feet to twenty-five (25) feet for all uses, except that:

[a] Agricultural uses shall be in accordance with the underlying zoning district regulations.

[b] In the case of infill properties, the build-to line for new principal structures shall be equal to or less than the front yard setback of the principal buildings on adjacent parcels but shall not exceed the maximum of twenty-five (25) feet, except that the building setbacks listed in Section 2213 shall apply.

(2) In the case of an existing nonconforming building that cannot meet the build-to line, a fence, hedge, or wall shall be constructed along the build-to line in order to maintain the street wall.

C. Minimum required open area:

(1) Residential uses: in accordance with the underlying zoning district.

(2) Nonresidential uses: Twenty-five (25) percent.

D. Minimum lot area and setback requirements: Unless otherwise specified, in accordance with the underlying zoning district.

3. Design requirements.

A. All subdivision, land development, and redevelopment within the T-Zone Overlay Areas shall comply with the design standards in Appendix A.

B. All subdivision, land development and redevelopment shall be consistent with the design standards of applicable transformation concepts in Appendix B.

C. All subdivision, land development, and redevelopment within the T-Zone Overlay Areas shall comply with the design standards in Appendix C.

D. All subdivision, land development and redevelopment shall be consistent with the applicable best practices in Appendix D.

SECTION 2405. T-5 NEFFSVILLE VILLAGE OVERLAY AREA

1. Purpose: to enhance the viability of the Village of Neffsville as a traditional village where growth is intended to be directed, while preserving and enhancing the traditional physical character, mix of uses, and promoting economic development.

2. Permitted uses. Uses shall be permitted in accordance with the underlying zoning district, except that:

A. Motor vehicle sales and service and washing facilities shall not be permitted within the overlay area.

B. The following additional uses shall be permitted in any nonresidential district within the T-5 Neffsville Village Overlay Area:

- (1) Apartments in combination with business uses.
- (2) Hotels/motels with a maximum of twenty-five (25) guest rooms.
- (3) Park-and-ride facilities.
- (4) Restaurants with or without outdoor dining. (See Section 2526)

C. Planned residential development shall be required on all new residential development on five (5) acres or more within the T-5 Neffsville Village Overlay Area.

3. Maximum density. The maximum density permitted in the T-5 Neffsville Village Overlay Area shall be in accordance with the underlying zoning district, except that such density may be increased through the purchase of transferable development rights in accordance with Article XXVI.

4. Area and bulk regulations:

A. Maximum building height: Thirty (36) feet, except those buildings along Lititz Pike shall be permitted to increase the maximum height to fifty (50) feet with the purchase of transferable development rights in accordance with Article XXVI. However, all structures are subject to Section 2208 and Section 2214 of this ordinance.

B. Build-to line.

(1) A build-to line shall be established for each development, or in the case of planned residential development, for each block within the development. Such build-to line shall fall within the range of ten (10) feet to twenty (20) feet for all uses, except that:

[a] Agricultural uses shall be in accordance with the underlying zoning district regulations.

[b] In the case of infill properties, the build-to-line for new principal structures shall be equal to or less than the front yard setback of the principal buildings on adjacent parcels but shall not exceed the maximum of twenty-five (25) feet.

(2) In the case of an existing nonconforming building that cannot meet the build-to line, a fence, hedge or wall shall be constructed along the build-to line in order to maintain the street wall.

C. Minimum required open area:

(1) Single-family detached dwellings: Forty (40) percent.

- (2) Single-family semidetached and duplex dwellings: Forty (40) percent.
- (3) Single-family attached/townhouses and apartment buildings: Thirty (30) percent.
- (4) Nonresidential uses: Twenty (20) percent.

D. Building size.

- (1) New nonresidential or mixed-use buildings, other than elementary and secondary schools, shall have a maximum building footprint of seven thousand five hundred (7,500) square feet.
- (2) New nonresidential or mixed-use buildings, other than elementary and secondary schools, shall have a maximum length of one hundred fifty (150) feet.
- (3) Accessory buildings associated with elementary and secondary schools shall have a maximum building footprint of 20,000 square feet and a maximum building length of 250 feet.

E. Minimum lot area and setback requirements: Unless otherwise specified, in accordance with the underlying zoning district.

5. General design requirements.

- A.** All subdivision, land development, and redevelopment within the T-Zone Overlay Areas shall comply with the design standards in Appendix A.
- B.** All subdivision, land development and redevelopment shall be consistent with the design standards of applicable transformation concepts in Appendix B.
- C.** All subdivision, land development and redevelopment shall be consistent with the applicable design standards in Appendix C.
- D.** All subdivision, land development and redevelopment shall be consistent with the applicable best practices in Appendix D.

SECTION 2406. T-5 OREGON VILLAGE OVERLAY AREA

1. Purpose: to permit as an option in specific circumstances and by conditional use a coordinated master site planned development process which permits a mixture of medium and higher density residential development via providing a variety of dwelling types and a mixture of various office, commercial uses and hospitality services by capitalizing on the transportation opportunities and public utilities while protecting the surrounding agricultural uses and historic character of the Village of Oregon. The intent of the Board of Commissioners in enacting the Oregon Village Overlay Area is:

- A.** To encourage a variety of uses, including medium and higher density mixed residential and commercial development.
- B.** To encourage increased flexibility in order to promote mixed use.
- C.** To encourage development in an orderly and compatible manner which maximizes the transportation opportunities along the major roadways while protecting the quality and character of the Village of Oregon and surrounding agricultural uses.

- D.** To encourage a pattern of vehicular circulation and pedestrian accessibility to minimize traffic congestion while promoting safe and easy pedestrian movement.
- E.** To reduce the excessive sprawl of development and segregation of land uses that result in the inefficient use of irreplaceable natural resources due to the dependence on private vehicles for transportation.
- F.** To discourage generic-type modern suburban development that bears no relation to the historic development pattern of Lancaster County.
- G.** To promote a high quality of design for buildings, parking areas and open space areas.
- H.** To provide for the growth of existing businesses within the T-5 Oregon Village Overlay Area.
- I.** To protect and preserve our natural environment.
- J.** To protect and preserve historical structures.
- K.** To encourage more efficient use of land through compact development in areas capable of supporting compact development.

2. Location and general development criteria.

A. All regulations within the T-5 Oregon Village Overlay Area shall apply to those uses listed below if the master site planned development process is pursued. All other uses shall be controlled by the regulations of the underlying zoning district. Where the regulations of the T-5 Oregon Village Overlay Area conflict with other provisions of this ordinance, the regulations of the T-5 Oregon Village Overlay Area shall prevail. The T-5 Oregon Village Overlay Area shall be permitted as a conditional use in accordance with the general standards as set forth in Section 2810.3 herein and specific criteria as set forth below. Where the general and specific criteria overlap, the specific criteria shall supersede the general criteria.

B. In compliance with Section 605(2) and (3) of the Municipalities Planning Code, this overlay provides an optional set of design standards that can be applied to property within the Oregon Village Overlay Area. The Board of Commissioners may also, by conditional use approval, permit the applicant to modify the design standards of this overlay, if such modification will enable the design of a better development. The design standards of this overlay and the modified design standards that may be approved by the Board of Commissioners shall be considered voluntarily self-imposed by the applicant but enforceable by the Township.

3. Options for development. The T-5 Oregon Village Overlay Area provides for flexibility in planning and designing new developments by providing for two forms of development referred to as "options" and summarized below:

A. Option One: uses and developments permitted in the underlying zoning district. The provisions of the underlying zoning districts shall govern. See the applicable underlying zoning districts for permitted uses, lot and building-related dimensional standards and provisions.

B. Option Two: master site planned development.

(1) Where the Option Two provisions of this section are chosen, the provisions of the T-5 Oregon Village Overlay Area shall be met and shall supersede the provisions of the underlying zoning district, unless otherwise provided by this section.

(2) After a master site planned development is approved by conditional use, the land area included in the master site plan shall be permitted to be developed in accordance with the approved master site plan and reviewed and approved in accordance with the preliminary and final plan requirements in the Subdivision and Land Development Ordinance.

(3) Master site planned developments may be developed in phases and be owned and constructed by different applicants, provided that the phase of the master site plan development is consistent with the master site plan. A phase of the master site planned development shall not contain less than two acres.

(4) If the applicant's land extends into an adjacent municipality or zoning district, the master site plan shall also show such area with a plan for coordinated road and infrastructure system.

(5) Where feasible and appropriate, the master site plan shall be coordinated with any existing, proposed or approved development on adjacent land.

(6) Any changes proposed within a previously approved master site planned development will require the obtainment of a conditional use. Minor revisions of the master site planned development that were previously approved as a part of the master site planned development are permitted by right if they do not violate any conditions imposed as a part of the approval of the master site planned development and do not change any principal use. An owner of a part of the property within the master site planned development shall be permitted to propose the modification of the portion of the master site plan owned by such applicant, provided that the area within the master site plan complies with the area and bulk regulations set forth in Section 2406.7.

(7) One (1) transferable development right is required to be acquired in accordance with Article XXVI for each three (3) gross acres included in the master site planned development.

(8) Building heights shall be permitted to increase to the maximum height of fifty-five (55) feet with the purchase of transferable development rights in accordance with Article XXVI.

4. Minimum requirements for a master site planned development.

A. Both public sewer and public water service are required.

B. Minimum tract acreage. A minimum of ten (10) gross acres of land shall be required to qualify for a master site planned development. The acres comprising the master site planned development shall not be required to be contiguous if the tracts are separated by a street. Applications that expand previously approved master site planned development shall have no minimum area requirement.

5. Permitted uses. The following uses are permitted within approved master site planned developments:

A. Agricultural uses and necessary buildings, including farm dwellings, related to the tilling of the land, the raising of farm products, the raising and keeping of horses, cattle, and other livestock, the raising of poultry and poultry products, and the sale of farm and/or garden products on a retail basis (See Section 2503), subject to the area and bulk regulations set forth in Section 605.

- B.** Single-family detached dwellings.
- C.** Single-family semidetached dwellings.
- D.** Duplex dwellings.
- E.** Apartment dwellings.
- F.** Townhouse dwellings.
- G.** Houses of worship. (See Section 2513)
- H.** Community clubs. (See Section 2513)
- I.** Offices, professional and medical/dental.
- J.** Full-service hotels.
- K.** Limited-service hotels.
- L.** Banks and financial institutions. (See Section 2504)
- M.** Retail sales of goods and services; provided, however, that adult establishments and body art establishments are not permitted.
- N.** Holiday tree sales.
- O.** Convenience stores.
- P.** Retail sales of lawn and garden care products and the outdoor sale of nursery stock.
- Q.** Public parks and public recreation areas.
- R.** Community facilities.
- S.** Public utility installations. (See Section 2513)
- T.** Temporary retail sales. (See Section 2517)
- U.** Day-care centers. (See Section 2508)
- V.** Restaurants with or without outdoor dining. (See Section 2526)
- W.** Fueling station associated with a retail store or convenience store.
- X.** Bed-and-breakfast establishments. (See Section 2505)
- Y.** Commercial recreation facilities.
- Z.** Agritourism enterprises.
- AA.** Educational institutions.
- BB.** Elementary and secondary schools.
- CC.** Group homes.
- DD.** Municipal services.

EE. Supermarkets.

FF. Accessory buildings and uses customarily incidental to the above permitted uses.

6. Master site plan development components. Development within a master site planned development may be composed of two (2) components or portions thereof. Each development qualifying for consideration as a master site planned development shall comply with the following:

A. The residential component shall be permitted to comprise a part of or all of the gross acres within the master site planned development and shall comply with the following:

(1) Residential development, including single-family detached, single-family semidetached, duplex dwellings, townhouse dwellings and apartment dwellings, shall not exceed a maximum of ten (10) dwelling units per gross acre of the residential component within the master site planned development. The maximum dwelling units per gross acre proposed within the various phases or areas within the master site plan shall be identified. The number of dwelling units per gross acre as used herein shall be based upon the number of dwelling units in relation to the total land area proposed for the residential component within the master site planned development, including, but not limited to, the area for the nonresidential uses as set forth in Section 2406.6.A.(2) below, rights-of-way, interior parking areas, access drives, private streets, sidewalks, common open space, public or semipublic parks and playgrounds, and stormwater facilities.

(2) Nonresidential uses, as set forth in Section 2406.5, shall not exceed twenty-five (25) percent of the gross acres of the residential component.

(3) Single-family detached dwellings shall abut existing single-family detached dwellings on adjoining lots that are not a part of the master site plan development. This requirement shall not apply if the residential uses are separated from each other by a public street, dedicated to and maintained by the Township, or where a setback of one hundred fifty (150) feet from the property line is provided.

(4) Agricultural uses: no minimum or maximum area of the residential component.

B. The mixed center component shall be permitted to comprise a part of or all of the gross acres within the master site planned development and shall comply with the following:

(1) Nonresidential uses: As set forth in Section 2406.5.

(2) Residential uses, including apartments on upper floors over permitted ground floor nonresidential uses, and those residential uses as set forth in Section 2406.5, shall not exceed a maximum of six (6) dwelling units per gross acre of the mixed center component of the master site planned development and shall not be less than two (2) dwelling units per gross acre of the mixed center component of the master site planned development. The number of dwelling units per gross acre as used herein shall be based upon the number of dwelling units in relation to the total land area proposed for the mixed center component of the master site planned development, including, but not limited to, the area for the nonresidential uses, rights-of-way, interior parking areas, access drives, private streets, sidewalks, common open space, public or semipublic parks and playgrounds, and stormwater facilities.

(3) Agricultural uses: no minimum or maximum area of the gross acres of the component.

C. Common open space.

- (1) A minimum of twenty (20) percent of the gross tract area shall be designated as common open space. Where both a mixed center component and a residential component are proposed, a minimum of twenty (20) percent of the required open space shall be located within the mixed center component. Common open space shall be combined into an interconnected network of open space and pedestrian gathering places that also connect to adjoining tracts.
- (2) A maximum of fifty (50) percent of the required common open space may contain stormwater and drainage easements.
- (3) The master site planned development shall have at least one central plaza or green that is a minimum of seven thousand five hundred (7,500) square feet that serves as a gathering place for patrons, employees, visitors and/or residents. This central plaza or green shall be embellished with pedestrian amenities, such as civic art or fountains, benches, pedestrian-scale lighting, walkways or sidewalks, and landscaping consisting of native species.
- (4) Existing attractive or unique natural features, such as streams, creeks, ponds, woodlands, specimen trees and other areas of mature vegetation, are encouraged to be preserved in a natural state as part of a greenway.
- (5) As part of the conditional use approval, the Board of Commissioners may condition that a nonmotorized path or greenway be accommodated and/or installed in accordance with the standards in the Subdivision and Land Development Ordinance.
- (6) The ownership, administration and maintenance of common open space shall be approved by the Board of Commissioners and shall be arranged in accordance with Section 2216.
- (7) The construction schedule of the development shall coordinate the improvements of the common open space with the construction of the development. At no time in the development of the various phases may the total area of common open space in the phases developed be less than fifteen (15) percent of the gross area of the developed lands, unless additional areas to produce the required percentage are permanently reserved as common open space on the remaining land of the total development.

7. Area and bulk regulations for principal buildings and permitted uses. See the table of area and bulk regulations.

8. Streets within a master site planned development.

A. A minimum of two (2) interconnections with the existing public street system shall be provided where possible.

B. If an alley is proposed, it shall conform to the following requirements:

- (1) The alley shall be a private street and shall not be dedicated to the Township. The rights of access and maintenance must be clearly defined in an agreement and approved by the Township Solicitor.
- (2) Minimum paved width: Ten (10) feet (one way).
- (3) Width of easement: Twenty (20) feet (two way).

(4) No parking shall be permitted on either side of the cartway of the alley.

(5) Curbing shall not be required except at corners of intersections with other street types. At such corner locations, curbing shall be required for the entire corner radius and five feet preceding same. Such curbing shall not extend more than six inches above the finished pavement.

(6) Alley lighting shall be provided on garages or poles adjacent to the alley. Lighting fixtures and poles shall be of consistent architectural style and shall complement the predominant architectural theme.

(7) Design speed shall not exceed 10 mph.

9. Parking. The master site planned development shall meet the parking requirements contained in Article XX, except as modified herein:

A. Parking for apartment dwellings shall be located within four hundred (400) feet of the apartment building entrance.

B. All off-street parking spaces required within a master site planned development for two (2) or more uses may be provided in common parking garages/decks or parking lots, provided that the number of spaces is not less than the sum of the spaces required for each use individually, unless modified hereby.

C. All or part of the off-street parking spaces required within a master site planned development may be provided in parking garages/decks or parking lots located on a separate lot or lots within three hundred (300) feet walking distance from the use for which the parking is required, provided that the separate lot must be located within the master site planned development.

D. Parking for permitted uses within the master site planned development that share common parking facilities, excluding residential and hotel spaces, four and one half (4.5) spaces per one thousand (1,000) square feet of gross floor area shall be provided for all such uses.

E. The parking lot layout shall take into consideration pedestrian circulation. Pedestrian crosswalks shall be provided where necessary and appropriate and shall be integrated into the network of pedestrian walkways, sidewalks and nonmotorized paths.

F. A protected sidewalk or pathway within parking lots shall be required if the number of parking spaces within the parking lot exceeds one hundred (100) spaces.

G. Parking areas shall not be required to be located in the same zoning district as the building use, provided that the parking area is within the master site planned development area within the Oregon Village Overlay Area.

10. Loading and other service areas. When provided, the master site planned development shall meet the loading requirements contained in Article XX, Section 2010, in addition to the following:

A. Screening and landscaping shall prevent direct views of the loading areas and other service areas from adjacent properties or from the public right-of-way. Screening shall also prevent spillover glare, noise or exhaust fumes.

B. Screening and buffering shall be achieved through walls, fences and/or landscaping and shall be a minimum of five (5) feet high at time of planting. Recesses in the buildings or depressed access ramps may also be used.

C. The placement of loading docks, solid waste facilities, recycling facilities and other service areas shall be placed with consideration to apartments located on the upper floor of mixed-use buildings.

D. Dumpsters shall be setback a minimum of twenty-five (25) feet from any residentially zoned properties adjoining the master site planned development and shall be enclosed or screened from view from adjoining properties, residential uses, or the public right-of-way.

11. Sidewalks and nonmotorized paths.

A. Sidewalks with a minimum of five (5) feet in width within the residential component and a minimum width of eight (8) feet within the mixed center component shall be provided on both sides of all streets within the master site planned development. Where sidewalks are provided, the width of the sidewalk shall accommodate the following where applicable:

- (1) Sidewalks shall be wide enough to accommodate a five (5) foot clearance for outdoor seating for restaurant uses.
- (2) Bus shelters or waiting areas.
- (3) Sidewalk displays in front of retail establishments.
- (4) Decorative trash receptacles in the vicinity of nonresidential and nonagricultural uses.

B. The establishment of nonmotorized paths is integral to the overall pedestrian connectivity in the Township. Linkages to adjacent developments and neighborhoods with pedestrian and nonmotorized paths are recommended wherever possible. The Board of Commissioners may require, as a condition of final plan approval, the dedication and/or improvement of nonmotorized paths. The standards for nonmotorized paths are set forth in the Subdivision and Land Development Ordinance.

12. Additional building and site design standards.

A. Architectural guidelines shall be submitted with the application for overall master site planned development approval by the Township. The guidelines shall be prepared by a registered architect licensed to practice in the Commonwealth of Pennsylvania. The architectural guidelines shall demonstrate architectural styling and themes for the neighborhood and clearly prescribe suggested architectural elements, proportions, fenestration, roof pitches, detailing, alignment, and hierarchy. When the architectural guidelines have been approved in conjunction with the approval of the overall master site planned development approval, these architectural guidelines shall then be recorded in the Lancaster County Recorder of Deeds office concurrent with the recording of final land development plan for the master site planned development. Architectural guidelines will be reviewed by the Board of Commissioners and approved as it deems appropriate.

B. Sidewalk displays. See Section 2527.

13. Master site plan and accompanying documents. The applicant shall prepare and submit a master site plan with its application for conditional use. Such master site plan shall include the following specifications and accompanying documents:

A. Tract boundary and adjacent landowners.

B. Location of development within the Township and adjacent municipalities.

C. North point, scale and date.

D. Landmarks within the tract, including the location of all existing streets, buildings, easements, rights-of-way, sanitary sewers, water mains, storm drainage structures, and watercourses.

E. All existing land uses and lot lines within two hundred (200) feet of the proposed development, including the location of all public and private streets, drives or lanes, railroads, historic sites and other significant natural or man-made features.

F. Significant topographical and physical features.

G. A list of site data, including but not limited to the following:

- (1) Total acreage of the tract.
- (2) Proposed gross area of the development.
- (3) Proposed gross mixed center.
- (4) Proposed gross residential density.
- (5) Acreage and percentage of open space.
- (6) Proposed number of parking spaces.
- (7) Proposed number of lots.
- (8) Potential size and location of proposed structures.
- (9) Identification of proposed generalized land uses.
- (10) Potential lot configuration.
- (11) Proposed landscape plan.
- (12) Proposed interior street layout and parking lot configuration.
- (13) Proposed interior circulation plan for vehicular and pedestrian traffic, including sidewalks, nonmotorized paths and bikeways.
- (14) Proposed open space areas.
- (15) Proposed phasing plan for the development.

H. Proposed architectural guidelines for the master site planned development.

14. Supplemental regulations. The uses in the T-5 Oregon Village Overlay Area are also subject to applicable regulations contained in the following articles, except to the extent modified in this section:

A. Article XVIII, Signs.

B. Article XX, Off-Street Parking and Loading.

C. Article XXI, Accessory Uses.

D. Article XXII, General Regulations.

E. Article XXVI, Transfer of Development Rights (TDR).

F. Article XXV, Performance Standards.

G. Appendices A, B, and D

Area & Bulk Table Missing

SECTION 2407. T-6 URBAN TRANSITION OVERLAY AREA

1. Permitted uses:

- A.** Uses permitted in the underlying zoning district continue to be permitted in the overlay.
- B.** Agricultural uses and necessary buildings, including farm dwellings, related to the tilling of the land, the raising of farm products, the raising and keeping of horses, cattle, and other livestock, the raising of poultry and poultry products, and the sale of farm and/or garden products on a retail basis. (See Section 2503)
- C.** Single-family detached dwellings.
- D.** Single-family semidetached dwellings.
- E.** Duplex dwellings.
- F.** Apartment dwellings.
- G.** Townhouse dwellings.
- H.** Public parks and recreation areas.
- I.** Group homes.
- J.** Offices, professional and medical/dental.
- K.** Community facilities.
- L.** Public utility installations.
- M.** Banks and financial institutions.
- N.** Supermarkets.
- O.** Restaurants with or without outdoor dining. (See Section 2526)
- P.** Retail sales of goods and services.
- Q.** Retail sales of alcoholic beverages.
- R.** Convenience stores.
- S.** Wholesale clubs.
- T.** Full-service hotels.
- U.** Limited-service hotels.
- V.** Motor vehicle service stations or garages.
- W.** Veterinarian offices. (See Section 2513)
- X.** Temporary retail sales. (See Section 2513)
- Y.** Holiday tree sales. (See Section 2518)
- Z.** Day-care centers. (See Section 2508)

AA. Educational institutions (less than 20,000 square feet of gross floor area).

BB. Bed-and-breakfast establishments. (See Section 2505)

CC. Motor Vehicle Sales (Added by Ordinance 2016-05, dated 3/28/2016)

DD. Accessory buildings and uses customarily incidental to the above permitted uses.

2. The following uses are permitted as a special exception when authorized by the Zoning Hearing Board. In granting any special exception, the Board may attach certain conditions to its approval which, in addition to the requirements listed within this ordinance, it feels are necessary requirements in order to preserve and protect the character of the T-6 Urban Transition Overlay in which the proposed use would be located.

A. Houses of worship. (See Section 2512 and Section 2513)

B. Community clubs. (See Section 2513)

C. Elementary and secondary schools.

D. Boardinghouses.

E. Commercial recreation facilities.

F. Educational institutions (20,000 square feet of gross floor area or greater).

3. Uses permitted by conditional use.

A. Planned residential development. (See Article XIX.)

B. Parking structures, parking garages, and parking lots.

4. The following uses shall not be permitted within the T-6 Urban Transition Overlay, regardless of underlying district:

A. No drive-through facilities shall be permitted.

5. Area and bulk regulations:

A. Building height:

(1) Minimum building height: Twenty (20) feet.

(2) Maximum building height: Forty-five (45) feet, except those buildings shall be permitted to increase the maximum height to sixty-four (64) feet with the purchase of transferable development rights in accordance with Article XXVI. However, all structures are subject to Section 2208 and Section 2214 of this ordinance. Such height increase may be permitted in accordance with the following:

[a] No height increase shall be permitted within one hundred fifty (150) feet of the T-4 Urban Neighborhood Overlay, unless the adjacent buildings within the T-4 Urban Neighborhood Overlay are built to the maximum permitted height in that T-4 Urban Neighborhood Overlay.

[b] The perimeter buffer shall be increased by one (1) foot along the side and rear yards for each five (5) feet (or fraction thereof) of height over forty-five (45) feet; and

[c] Building area above the fifth story shall be set back an additional ten (10) feet from the build-to line.

B. Build-to line.

(1) A build-to line shall be established for each development, or for each block within the development, so long as the build-to line becomes shallower with more intensely developed blocks. Such build-to line shall fall within the range of eight (8) feet to fifteen (15) feet for all uses, except that:

[a] In the case of infill properties, the build-to line for new principal structures shall be equal to or less than the front yard setback of the principal buildings on adjacent parcels but shall not exceed the maximum of fifteen (15) feet.

[b] The build-to line along public rights-of-way listed in Section 2213 shall be a maximum of twenty (20) feet.

[c] In the case of an existing nonconforming building that cannot meet the build-to line, a fence, hedge or wall shall be constructed along the build-to line in order to maintain the street wall.

C. Maximum building length. No building shall exceed two hundred (200) feet in length; provided, however, that:

(1) There must be a visual break in the building facade every seventy-five (75) feet. Such break shall consist of, as a minimum, a two (2) foot recess or projection projecting from the building for a linear distance of fifteen (15) feet along the façade; or at least a thirty (30) degree angle of deflection of the building's center line. Such break shall extend the entire height of the building. Color and texture variations may accompany the above facade treatments.

(2) The maximum length may be increased to a length of three hundred (300) feet with the purchase of transferable development rights in accordance with Article XXVI.

D. Minimum lot area – as per the underlying zoning district.

E. Full-service hotels:

(1) Sewer and water. Public sewer and/or public water are required.

(2) Minimum lot area: Two hundred thousand (200,000) square feet.

(3) Minimum lot width:

[a] At street line: Three hundred (300) feet. 24-26

[b] At front yard setback line: Three hundred (300) feet.

(4) Minimum lot depth: Three hundred (300) feet.

(5) Minimum yard dimensions:

[a] Side yard, each side: Twenty (20) feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be thirty (30) feet on the side contiguous with the residential district.

[b] Rear yard: Twenty-five (25) feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be thirty-five (35) feet along the side contiguous with the residential district.

[c] Perimeter buffer, rear and side yards: Ten (10) feet.

(6) Minimum open area: Forty (40) percent.

F. Limited-service hotels:

(1) Sewer and water. Public sewer and/or public water are required.

(2) Minimum lot area: Eighty thousand (80,000) square feet.

(3) Minimum lot width:

[a] At street line: Two hundred (200) feet.

[b] At front yard setback line: Two hundred (200) feet.

(4) Minimum lot depth: Two hundred (200) feet.

(5) Minimum yard dimensions:

[a] Side yard, each side: Twenty-five (25) feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be thirty (30) feet on the side contiguous with the residential district.

[b] Rear yard: Twenty-five (25) feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be thirty (30) feet along the side contiguous with the residential district.

[c] Perimeter buffer, rear and side yards: Ten (10) feet.

(6) Minimum open area: Twenty (20) percent.

G. Public parks and public recreation areas:

(1) Minimum lot area: none.

(2) Minimum lot width: Fifty (50) feet.

(3) Minimum lot depth: none.

(4) Minimum yard dimensions:

[a] Side yard, each side: Twenty (20) feet.

[b] Rear yard: Thirty-five (35) feet.

(5) Minimum open area: none.

H. Public utility installations:

- (1) Minimum lot area: none.
- (2) Minimum lot width: none.
- (3) Minimum lot depth: none.
- (4) Minimum yard dimensions:
 - [a] Side yard, each side: Twelve (12) feet.
 - [b] Rear yard: Twelve (12) feet.
- (5) Perimeter buffer: Ten (10) feet along all lot lines, including the front yard.
- (6) Minimum open area: none.
- (7) Landscaping and screening. (See Section 2512 and Section 2513)

I. Bed-and-breakfast establishments. Such uses shall comply with the requirements of Section 2505.

J. Other permitted uses by right, except when located in an existing building:

- (1) Sewer and water. Public sewer and/or public water service are required.
- (2) Minimum lot area: Twenty thousand (20,000) square feet.
- (3) Minimum lot width:
 - [a] At street line: Fifty (50) feet.
 - [b] At front yard setback line: Fifty (50) feet.
- (4) Minimum lot depth: One hundred (100) feet.
- (5) Minimum yard dimensions:
 - [a] Side yard, each side: Twenty (20) feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be thirty (30) feet on the side contiguous with the residential district.
 - [b] Rear yard: Twenty-five (25) feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be thirty (30) feet along the side contiguous with the residential district.
 - [c] Perimeter buffer, rear and side yards: Fifteen (15) feet.
- (6) Minimum open area: Twenty (20) percent.

K. Other permitted uses by special exception, except where located in an existing building, shall meet the following requirements:

- (1) Sewer and water. Both public sewer and public water service are required.
- (2) Minimum lot area: Forty thousand (40,000) square feet.

(3) Minimum lot width:

[a] At street line: One hundred fifty (150) feet.

[b] At front yard setback line: One hundred fifty (150) feet.

(4) Minimum lot depth: One hundred fifty (150) feet.

(5) Minimum yard dimensions:

[a] Side yard, each side: Twenty-five (25) feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be fifty (50) feet on the side contiguous with the residential district.

[b] Rear yard: Twenty-five (25) feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be fifty (50) feet along the side contiguous with the residential district.

[c] Perimeter buffer, rear and side yards: Twenty (20) feet.

(6) Minimum open area: Twenty (20) percent.

(7) All pedestrian and vehicular traffic patterns shall be located in a manner that reduces or eliminates potential hazards to the people utilizing the facility.

L. Other permitted uses by conditional use shall comply with the requirements of Article XIX.

6. Design requirements.

A. All subdivision, land development, and redevelopment within the T-Zone Overlay shall comply with the design standards in Appendix A.

B. All subdivision, land development and redevelopment shall be consistent with the applicable transformation concepts in Appendix B.

C. All subdivision, land development and redevelopment shall be consistent with the applicable design standards in Appendix C.

D. All subdivision, land development and redevelopment shall be consistent with the applicable best practices in Appendix D.

E. Mixed-use buildings that provide apartments or office uses over ground-floor commercial uses are strongly encouraged. All uses contained in a mixed-use building shall be permitted uses within the overlay.

F. The street and alley network shall maintain blocks that emulate those found in northern Lancaster City, south of the T-6 Urban Transition Overlay; such network shall be in accordance with the following:

(1) The perimeter of a block shall measure a maximum of one thousand six hundred (1,600) feet, except where constraints such as railroad tracks, highways or other rights-of-way exist.

(2) Blocks shall form a distinct shape; and

(3) Existing streets and alleys shall be extended, where feasible.

SECTION 2408. D-R RETROFIT OVERLAY AREA

1. Permitted uses:

- A. Uses permitted per the underlying zoning district continue to be permitted in the overlay.
- B. Offices, professional.
- C. Community facilities.
- D. Office, medical and dental.
- E. Banks and financial institutions, whether or not in combination with offices.
- F. Full-service hotels.
- G. Limited-service hotels.
- H. Commercial recreation facilities.
- I. Laboratories for research and development.
- J. Educational institutions.
- K. Warehousing and mini warehousing facilities.
- L. Public parks and public recreation areas.
- M. Public utility installations.
- N. Veterinarian offices. (See Section 2513)
- O. Temporary retail sales. (See Section 2517)
- P. Holiday tree sales. (See Section 2518)
- Q. Conference / event centers. (Such uses shall comply with the requirements of Section 2530.4.B)
- R. Accessory buildings and uses customarily incidental to the above permitted uses.

2. Area and bulk regulations:

A. Maximum building height: Forty-five (45) feet, except those buildings shall be permitted to increase the maximum height to sixty (64) feet with the purchase of transferable development rights in accordance with Article XXVI. However, all structures are subject to Section 2208 and Section 2214 of this ordinance. Such height increase may be permitted in accordance with the following:

- (1) No height increase shall be permitted within one hundred fifty (150) feet of residentially zoned district or within one hundred fifty (150) feet of the T-4 Urban Neighborhood Overlay, except where adjacent buildings in the T-4 Urban Neighborhood Overlay have been built to the maximum permitted height.

(2) The perimeter buffer area shall be increased by one (1) foot along the side and rear yards for each additional five (5) feet of height, or fraction thereof, above forty-five (45) feet.

(3) Any floor area above the fifth story shall be set back an additional ten (10) feet from the build-to line.

B. Build-to line.

(1) A build-to line shall be established for each development, or for each block within the development, so long as the build-to line becomes shallower with more intensely developed blocks. Such build-to line shall fall within the range of fifteen (15) feet to twenty-five (25) feet for all uses.

(2) In the case of infill properties, the build-to line for new principal structures shall be equal to or less than the front yard setback of the principal buildings on adjacent parcels but shall not exceed the maximum of twenty-five (25) feet, except that the setbacks listed in Section 2213 shall only apply to Fruitville Pike, Manheim Pike, Route 30, Route 222, and Oregon Pike north of Route 30.

(3) In the case of an existing nonconforming building that cannot meet the build-to line, a fence, hedge or wall shall be constructed along the build-to line in order to maintain the street wall.

C. Maximum building length. No building, other than elementary and secondary schools, shall exceed two hundred fifty (250) feet in length; provided, however, that:

(1) There must be a visual break in the building facade every seventy-five (75) feet. Such break shall consist of, as a minimum, a two (2) foot recess or projection projecting from the building for a linear distance of fifteen (15) feet along the façade; or at least a thirty (30) degree angle of deflection of the building's center line. Such break shall extend the entire height of the building. Color and texture variations may accompany the above facade treatments.

(2) The maximum length may be increased to a length of four hundred (400) feet with the purchase of transferable development rights in accordance with Article XXVI.

(3) Accessory buildings associated with elementary secondary schools shall have a maximum length of 250 feet.

D. Building Size – Unless otherwise specified, in accordance with the underlying zoning district, other than accessory buildings associated with elementary and secondary schools which shall have a maximum building footprint of 20,000 square feet.

3. Design requirements.

A. All subdivision, land development, and redevelopment within the T-Zone Overlay shall comply with the design standards in Appendix A.

B. All subdivision, land development and redevelopment shall be consistent with the applicable transformation concepts in Appendix B.

C. All subdivision, land development and redevelopment shall be consistent with the applicable design standards in Appendix C.

D. All subdivision, land development and redevelopment shall be consistent with the applicable best practices in Appendix D.

SECTION 2409. D-A AIRPORT OVERLAY AREA

1. Purpose. The purpose of this overlay is to permit and encourage the development of uses dependent upon, supportive of, or related to air transportation and the aviation industry at the Lancaster Airport. This overlay is intended to provide for the efficient layout and operation of the airport, including facilities for commercial airline operations, air cargo, general aviation, instruction, and an appropriate range of retail and service uses that serve airport customers; permit transportation-related and operations-related activities; and permit limited industrial uses that are compatible with and/or supportive of the Lancaster Airport to locate within the immediate vicinity. All regulations of the Airport Safety Zones in Section 2214 shall apply throughout the overlay.

2. Permitted uses.

A. Uses permitted in the underlying zoning district continue to be permitted in the overlay district.

B. The following uses shall be permitted throughout the D-A Airport Overlay as a use by right:

- (1) Agricultural use and necessary buildings.
- (2) Airports (underlying I-3 District only).
- (3) Industrial activities involving processing, production, repair, or testing and conversion, assembly, and nontoxic chemical operations.
- (4) Laboratories for research and development.
- (5) Limited-service hotel.
- (6) Public parks and public recreation areas.
- (7) Public utility installations.
- (8) Warehousing, mini warehousing and distribution facilities.
- (9) Educational institutions that support the aviation industry, such as aviation technical schools.
- (11) Public or commercial service establishments that support the aviation industry, such as security services and inspection facilities.
- (12) Business or industrial uses that are related to aviation and require direct access to an airport facility or aviation services, including assembly or sale of aircraft, air frames, aircraft engines, aircraft parts or associated components, radios or navigational equipment, and similar products or services; aircraft maintenance and repairs; and aviation service facilities.

(13) Retail sales as an accessory use to the permitted industrial activities, where such sales are limited to a maximum of ten (10) percent of the total gross floor area of such activity, excluding motor vehicle service stations that are open to the public, motor vehicle sales, and adult establishments.

(14) Commercial recreation facilities.

(15) Accessory buildings and uses customarily incidental to the above permitted uses.

C. The following uses shall be permitted throughout the overlay as a use by special exception:

(1) Aviation-related dormitories.

(2) Banks and financial institutions.

(3) Parking structures and decks.

(4) Community clubs in existing movie theaters. (See Section 2520)

(5) Day-care center as an accessory use to any of the uses by right.

(6) Laundromat/laundry services.

(7) Offices, professional.

(8) Offices, medical and dental.

(9) Restaurants without drive through service but with or without outdoor dining. (See Section 2526)

(10) Retail service establishments, such as auto rental and travel agencies, and motor vehicle service stations.

(11) Retail sales within an airport, provided that supermarkets, motor vehicle sales buildings, and adult establishments are not provided.

(12) Theater churches. (See Section 2519)

(13) Convenience store within an airport property.

(14) Accessory buildings and uses customarily incidental to the above special exception use.

(15) Conference / Event Center (underlying I-3 District only).

3. Area and bulk regulations:

A. Sewer and water. Both public sewer and public water service are required for all uses other than agricultural uses.

B. Maximum building height: Thirty (35) feet, except that all structures are subject to Section 2208 and Section 2214 of this ordinance, and the maximum building height may be increased to a maximum height of fifty-five (55) feet with the purchase of transferable development rights in

accordance with Article XXVI. Where such height increase may be permitted, it shall be in accordance with the following:

(1) No structure within one hundred fifty (150) feet of residentially zoned land shall exceed three stories or thirty-five (35) feet in height.

(2) The perimeter buffer shall be increased to a minimum of twenty-five (25) feet along the side and rear yards and fifty (50) feet when adjacent to a residential use or zone.

C. Build-to line - Except as listed below, buildings shall be placed along a build-to line that falls within the range of fifteen (15) feet to twenty-five (25) feet for all uses:

(1) Where Section 2213 requires a greater setback, then such setback shall apply.

(2) Where the principal use of a site is an airport, then a building setback of fifty (50) feet shall apply to all property lines.

(3) In the case of an existing nonconforming building that cannot meet the build-to line, a fence, hedge or wall shall be constructed along the build-to line in order to maintain the street wall.

D. Maximum building length. No building shall exceed two hundred fifty (250) feet in length unless otherwise provided in this ordinance; provided, however, that:

(1) There must be a visual break in the building facade every seventy-five (75) feet. Such break shall consist of, as a minimum, a two (2) foot recess or projection projecting from the building for a linear distance of fifteen (15) feet along the façade; or at least a thirty (30) degree angle of deflection of the building's center line. Such break shall extend the entire height of the building. Color and texture variations may accompany the above facade treatments.

(2) The maximum length may be increased to a length of four hundred (400) feet with the purchase of transferable development rights in accordance with Article XXVI.

E. Minimum lot requirements:

(1) Agricultural uses. (See Section 605.2.A)

(2) Airports:

[a] Minimum lot area: Ten (10) acres.

[b] Minimum lot width: Three hundred (300) feet.

[c] Minimum lot depth: Three hundred (300) feet.

[d] Minimum yard dimensions:

[i] Front yard: Fifty (50) feet. (See Section 2213)

[ii] Side yard, each side: Fifty (50) feet; however, if the lot is adjacent to a residential district, the side yard shall be seventy-five (75) feet on the side contiguous with the residential district.

[iii] Rear yard: Fifty (50) feet; however, if the lot is adjacent to a residential district, the rear yard shall be seventy (75) feet along the side contiguous with the residential district.

[iv] Perimeter buffer: Ten (10) feet; however, for any lot adjacent to a residential district, the perimeter buffer shall be twenty (20) feet wide on all sides contiguous with the residential district.

[e] Minimum open area: Eighty (80) percent.

(3) Banks and financial institutions, restaurants, day-care centers:

[a] Minimum lot area: Twenty thousand (20,000) square feet.

[b] Minimum lot width:

[i] At street line: One hundred (100) feet.

[ii] At front yard setback line: One hundred (100) feet.

[c] Minimum lot depth: One hundred fifty (150) feet.

[d] Minimum yard dimensions:

[i] Front yard: Fifty (50) feet. (See Section 2213)

[ii] Side yard, each side: Twenty (25) feet; provided, however, that if the lot is adjacent to a residential district; the side yard shall be seventy (75) feet on the side contiguous with the residential district.

[iii] Rear yard: Twenty-five (25) feet; however, if the lot is adjacent to a residential district, the rear yard shall be seventy-five (75) feet along the side contiguous with the residential district.

[iv] Perimeter buffer: Twenty (20) feet.

[e] Minimum open area: Twenty (20) percent.

(4) Other retail sales within the D-A Airport Overlay.

[a] Separate structures for retail use shall be limited to fifteen thousand (15,000) square feet.

[b] Retail sales as part of structures containing other uses shall not exceed fifteen thousand (15,000) square feet.

[c] The total floor area of retail sales within an airport boundary shall be limited to ten (10) percent of the total floor area of all buildings located within the airport boundary.

(5) Convenience stores within an airport property.

[a] Minimum lot area: Forty thousand (40,000) square feet.

[b] Minimum lot width:

[i] At street line: One hundred (100) feet.

[ii] At front yard setback line: One hundred (100) feet.

[c] Minimum lot depth: One hundred fifty (150) feet.

[d] Minimum yard dimensions:

[i] Front yard: Fifty (50) feet. (See Section 2213)

[ii] Side yard, each side: Twenty (25) feet.

[iii] Rear yard: Twenty-five (25) feet.

[iv] Perimeter buffer: Ten (10) feet.

[e] Minimum open area: Twenty (20) percent.

[f] Maximum building footprint for a convenience store shall be limited to seven thousand (7,000) square feet.

[g] Vehicle fuel dispensing facilities shall be limited to a maximum of 16 fuel dispensers under a single canopy.

[h] Convenience stores shall have a minimum of one access from an arterial legislative street route as identified by the Township.

[i] No more than one convenience store shall be permitted within an airport property. Airport property shall mean all land within the tract presently containing an airport as existing of July 8, 2013, without regard to any future reduction/diminution of such parent tract by subsequent subdivision or sale of any part thereof, and shall include any future land acquisitions or additions to such parent tract, so that the single convenience store which may be permitted as a special exception on such parent tract shall be the sole and only convenience store which may be permitted on the parent tract or any remaining balance thereof following any subdivision or sale of any part thereof and any increase thereof following future additions thereto.

[j] Accessory buildings and uses customarily incidental to the convenience store use, including but not limited to, vehicle fuel canopies, pumps, and carwash, shall have a maximum building height of thirty-five (35) feet and all minimum yard dimensions shall be in accordance with Section 2409.3.E.(5). (d).

(6) Community clubs in existing movie theaters. Such uses shall comply with the requirements of Section 2520.

(7) Theater churches. Such uses shall comply with the requirements of Section 2519

(8) Public parks and public recreation areas:

[a] Minimum lot area: none.

[b] Minimum lot width: 50 feet.

[c] Minimum lot depth: none.

[d] Minimum yard dimensions:

[i] Front yard: 25 feet. (See Section 2213)

[ii] Side yard, each side: 20 feet.

[iii] Rear yard: 35 feet.

[iv] Minimum open area: none.

(9) Public utility installations:

[a] Minimum lot area: none.

[b] Minimum lot width: none.

[c] Minimum lot depth: none.

[d] Minimum yard dimensions:

[i] Front yard: 25 feet. (See Section 2213)

[ii] Side yard, each side: 12 feet.

[iii] Rear yard: 12 feet.

[e] Minimum open area: none.

[f] Landscaping and screening. (See Section 2512 and Section 2513)

(10) Commercial recreation facilities and Conference / Event Centers in I-3 zoning district:

[a] Sewer and water. Both public sewer and public water service are required.

[b] Minimum lot area: 40,000 square feet.

[c] Minimum lot width:

[i] At street line: 150 feet.

[ii] At front yard setback line: 150 feet.

[d] Minimum lot depth: 150 feet.

[e] Minimum yard dimensions:

[i] Front yard: 50 feet, unless otherwise specified in the applicable T Zone Overlay or Section 2213.

[ii] Side yard, each side: 25 feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be 75 feet on the side contiguous with the residential district.

[iii] Rear yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.

[f] Minimum open area: Twenty (20%).

[g] Landscaping and screening. (See Section 2512 and Section 2513)

[h] Perimeter buffer: 20 feet.

[i] Length of building: 300'.

(11) Other permitted uses by right and by special exception:

[a] Minimum lot area: Forty thousand (40,000) square feet.

[b] Minimum lot width:

[i] At street line: One hundred (100) feet.

[ii] At front yard setback line: One hundred (100) feet.

[c] Minimum lot depth: One hundred fifty (150) feet.

[d] Minimum yard dimensions:

[i] Front Yard: 50 feet. (See Section 2213)

[ii] Side yard, each side: Twenty (25) feet; provided, however, that if the lot is adjacent to a residential district, the side yard shall be seventy-five (75) feet on the side contiguous with the residential district.

[iii] Rear yard: Twenty-five (25) feet; provided, however, that if the lot is adjacent to a residential district, the rear yard shall be seventy (75) feet along the side contiguous with the residential district.

[iv] Perimeter buffer: Ten (10) feet; provided, however, that for any lot adjacent to a residential district, the perimeter buffer shall be 20 feet wide on all sides contiguous with the residential district.

[e] Minimum open area: Twenty (20) percent.

4. Fencing. Fencing shall be provided as required by the FAA, the Department of Homeland Security, or the Transportation Security Administration.

5. Screening. See Section 2512 and Section 2513.

6. Design requirements.

(1) All subdivision, land development, and redevelopment within the T-Zone Overlay shall comply with the Design Standards in Appendix A.

7. Supplemental regulations. The uses in this overlay are also subject to applicable regulations contained in the following articles:

A. Article XVIII, Signs.

B. Article XX, Off-Street Parking and Loading.

C. Article XXI, Accessory Uses.

D. Article XXII, General Regulations.

E. Article XXVI, Transfer of Development Rights (TDR).

D. Article XXV, Performance Standards.

SECTION 2410. D-C CORRIDOR OVERLAY AREA

1. Permitted uses.

A. Uses shall be permitted in accordance with the underlying zoning district.

2. Area and bulk regulations:

A. Maximum building height: Thirty-five (35) feet, except those buildings shall be permitted to increase the maximum height to fifty-five (55) feet with the purchase of transferable development rights in accordance with Article XXVI. However, all structures are subject to Section 2208 and Section 2214 of this ordinance. Such height increase may be permitted in accordance with the following:

(1) No height increase shall be permitted within one hundred fifty (150) feet of residentially zoned land.

(2) No height increase shall be permitted unless the building is within three hundred (300) feet of the D-R Corridor Overlay.

(3) The perimeter buffer shall be increased by one (1) foot for each additional foot of height along the side and rear yards.

B. Build-to line.

(1) A build-to line shall be established for each development, or for each block within the development, so long as the build-to line becomes shallower with more intensely developed blocks. Such build-to line shall fall within the range of fifteen (15) feet to twenty-five (25) feet for all uses.

(2) In the case of infill properties, the build-to line for new principal structures shall be equal to or less than the front yard setback of the principal buildings on adjacent parcels but shall not exceed the maximum of twenty-five (25) feet, except that the setbacks listed in Section 2213 shall apply.

(3) In the case of an existing nonconforming building that cannot meet the build-to line, a fence, hedge or wall shall be constructed along the build-to line in order to maintain the street wall.

C. Maximum building length. No building shall exceed one hundred fifty (150) feet in length; provided, however, that:

(1) There must be a visual break in the building facade every seventy (75) feet. Such break shall consist of, as a minimum, a two (2) foot recess or projection projecting from the building for a linear distance of fifteen (15) feet along the façade; or at least a thirty (30) degree angle of deflection of the building's center line. Such break shall extend the entire height of the building. Color and texture variations may accompany the above facade treatments.

(2) The maximum length may be increased to a length of two hundred fifty (250) feet with the purchase of transferable development rights in accordance with Article XXVI.

3. Design requirements.

A. All subdivision, land development, and redevelopment within the T-Zone Overlay shall comply with the design standards in Appendix A.

B. All subdivision, land development and redevelopment shall be consistent with the applicable transformation concepts in Appendix B.

C. All subdivision, land development and redevelopment shall be consistent with the applicable design standards in Appendix C.

D. All subdivision, land development and redevelopment shall be consistent with the best practices in Appendix D.

4. Supplemental Regulations.

A. Article XVIII, Signs.

B. Article XX, Off-Street Parking and Loading.

C. Article XXI, Accessory Uses.

D. Article XXII, General Regulations.

E. Article XXVI, Transfer of Development Rights (TDR).

F. Article XXV, Performance Standards

ARTICLE XXV. PERFORMANCE STANDARDS (Amended by Ordinance 2021-04, dated June 28, 2021)

SECTION 2501. APPLICABILITY

In addition to all other requirements of this ordinance, the following performance standards shall apply to specific uses permitted in the various zoning districts.

SECTION 2502. ADULT ESTABLISHMENTS

Adult establishments shall comply with all of the following requirements:

1. No building that contains any adult establishment shall contain any other kind of adult establishment.
2. No more than one adult establishment shall be permitted in anyone building.
3. No adult establishment shall be located within the following distances, measured in a straight line without regard to intervening structures, from the closest point of the building within which the adult establishment is located to the closest point of the following:
 - A. One thousand feet of any building within which is located another adult establishment.
 - B. One thousand feet of any R-1, R-2, and/or R-3 Residential District.
 - C. One thousand feet of any existing residential dwelling or residential property.
 - D. One thousand feet of the lot line of any lot upon which is located a school, houses of worship, child-care facility, commercial recreation facility, community facility, library, recreation area, recreation center, public park, or playground, whether such use is as a principal use or as an accessory use.
 - E. One thousand feet of any establishment licensed to serve and/or sell alcoholic beverages.
 - F. One thousand feet of the lot line of any lot upon which is located any medical or dental office establishment or hospital.
4. No display of merchandise outside the building shall be permitted.
5. No pornographic material displays, or words shall be placed in view of persons who are not inside of the establishment. The building will be windowless or have an opaque covering over all windows or doors of any area in which materials are displayed.
6. No adult establishment shall be used for any purpose that violates any federal, state or municipal law.
7. The adult establishment shall not include the sale or display of obscene materials, as defined by state law and as may be interpreted or construed by applicable court decisions.
8. No adult establishment shall be permitted to operate between the hours of 12:00 midnight

and 7:00 a.m.

9. No adult establishment may be changed to a different adult establishment prior to obtaining a special exception for the new adult establishment.
10. All adult establishments shall comply with the requirements of Act 120 of 1996, 68 Pa.C.S.A. § 5501 et seq.
11. For public health reasons, private or semiprivate viewing booths of any kind are prohibited. This specifically includes, but is not limited to, booths for viewing adult movies or nude dancers.

SECTION 2503. AGRICULTURAL USES

1. Roadside stands for the sale of farm, horticultural or hydroponic products on a retail basis is permitted in any district and shall comply with the following:
 - A. The use shall be proposed on an existing and operating farm with a minimum lot size of ten (10) acres or a minimum lot size of five (5) acres and enrolled in the Clean & Green Program.
 - B. At least fifty (50) percent of such products (by volume) shall have been produced on the property on which they are offered for sale, based on all products offered throughout an entire year.
 - C. Sale of such products shall be conducted from a portable stand located behind the street right-of-way line and removed or dismantled at the end of the growing season, or from a permanent building located at least fifty (50) feet from the street right-of-way line.
 - D. The floor area of any portable stand shall not exceed one thousand (1,000) square feet; a permanent building shall not exceed four thousand (4,000) square feet.
 - E. Parking space for at least three (3) vehicles shall be provided behind the street right-of-way line when selling from a portable stand. For sales from a permanent structure, parking shall be provided in accordance with the parking standards outlined in Article XX. Vehicles shall not park on adjacent roads.
 - F. A ten (10) foot perimeter buffer shall be provided along all road frontage of property on which a permanent building has been erected for the sale of such products.
2. A farm related occupation is permitted as a conditional use in the Agricultural, R-1, and R-2 Districts and shall comply with the following:
 - A. The use shall be proposed on an existing and operating farm with a minimum lot size of ten (10) acres or a minimum lot size of five (5) acres and enrolled in the Clean & Green Program.
 - B. A maximum of two (2) farm related occupations are permitted per operating farm property.
 - C. The applicant shall 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 directed at providing materials and services needed to farm, rather than distribution of goods produced on the farm. Some examples of farm related occupations (if suitably sized) include, but are not limited to the following:

- (1) Buggy and harness sales and repair.
 - (2) Farm-related and lawn mowing equipment repair specific to the agriculture community.
 - (3) Horse and mule supplies.
 - (4) Blacksmith and farrier.
 - (5) Cut flowers, herb shop, greenhouse.
 - (6) Vineyard and wine sales.
- D. Small scale activities and services, not directly related to farming operations are permitted provided they meet the criteria outlined in this Section. Some examples of small-scale activities and services include but are not limited to the following:
- (1) Seamstress and tailoring
 - (2) Bake shop.
 - (3) Wood carving, chair caning and wood furniture
- E. The cumulative gross floor area of a structure or structures containing any and all farm related occupations shall not exceed 5,000 square feet of gross floor area and any associated parking, access drives, display areas and storage area shall not comprise an area greater than one (1) acre.
- F. Structural alterations to any existing building shall be minimized to maintain the external appearance of the farm building.
- G. Where practicable, a farm related occupation shall be conducted within an existing farm building. However, any building constructed for use as a farm related occupation shall be located within proximity to existing farm buildings. The location of any building constructed for use as a farm related occupation shall be identified at the time of conditional use approval.
- H. Any new building constructed for use by a farm related occupation shall be designed so that it can be readily converted to agricultural use, or removed, if the farm related occupation is discontinued.
- I. A mobile home shall not be used for a farm related occupation.
- J. No farm related occupation shall result in any additional access points to any public road. Such uses shall not be permitted at any location where safe ingress or egress are not provided.
- K. Access to the farm related occupation shall be provided by way of a stabilized dust free surface.
- L. No part of a farm related occupation shall be located within one hundred (100) feet of any side or rear lot line, nor within two hundred (200) feet of adjacent land residentially zoned.
- M. The applicant shall provide information on the type and number of truck trips to be generated by the farm related occupation.
- N. Any hazardous or flammable material identified in SARA Title III, the Superfund Amendments & Reauthorization Act of 1986 and Title III of the Clean Air Act of 1990, at or above the required reporting threshold, and proposed to be used in the farm related occupation shall be reported to the County Emergency Management Agency. Confirmation of that reporting shall be supplied to the Township.
- O. The person conducting the farm related occupation shall be a resident of the farm.
- P. The number of nonresident persons of the farm employed by the farm related occupation shall be identified.

- Q. The hours of operation shall be identified.
 - R. All farm related occupations shall comply with applicable land development regulations, stormwater management regulations, floodplain regulations and code regulations, if applicable.
 - S. Signs shall be in accordance with Article XVIII.
3. An agritourism enterprise is permitted as a conditional use in the Agricultural, R-1 and R-2 Districts and shall comply with the following:
- A. The use shall be proposed on an existing and operating farm with a minimum lot size of ten (10) acres and the use shall be incidental to the agricultural use of the farm. Agritourism may include such things as wagon rides and tours, pick, plant, cut your own plants, vegetables or fruits, corn mazes, petting zoos limited to farm animals, agricultural related educational and learning experiences, and campfires in accordance with code regulations, etc. Agritourism does not include wedding venues.
 - B. A sketch plan depicting the location and dimensions of all structures, parking areas, existing and proposed driveways, parking and vehicular turning areas, sanitary facilities (if required by PADEP), areas where visitors will be permitted and restricted, and landscaping if required to buffer adjacent properties.
 - C. Vehicle stacking lanes shall be provided at a minimum length of one hundred (100) feet to ensure adequate stacking is available to prevent backup onto adjacent roadways.
 - D. Off-street parking shall be provided to accommodate the intended use.
 - E. Vehicles shall not park on adjacent roads.
 - F. The number of nonresident persons of the farm employed by the farm related occupation shall be identified.
 - G. Hours of operation shall be identified.
 - H. Sale of local products handcrafted on the farm are permitted.
 - I. All prepared foods available for sale shall be prepared in accordance with applicable federal, state, or local regulations.
 - J. Gathering areas, structures, restroom facilities and handicapped accessibility requirements shall comply with Code Compliance regulations.
 - K. Sanitary sewer facilities shall be provided in accordance with PADEP.
 - L. If the applicant proposes municipal endorsement/publicity and/or municipal participation, the applicant shall submit an indemnity agreement in favor of the municipality and include the municipality as an additional insured on its public liability insurance policy.
 - M. Signs shall be in accordance with Article XVIII.
4. An anaerobic or manure digester is permitted as an accessory to an agricultural use subject to special exception approval and shall comply with the following:
- A. The use shall be proposed on an existing and operating farm with a minimum lot size of ten (10) acres.
 - B. Anaerobic or manure digesters shall be permitted as an accessory use to agricultural uses when livestock and poultry manure generated on site is used to generate and supply electrical or thermal power exclusively for on-site use by the agricultural use, except that when such agricultural use or farm is connected to a public utility, net metering shall be permitted in accordance with state law.

- C. All equipment associated with the digester shall be setback a minimum of one hundred (100) feet from all property lines and two hundred (200) feet from existing dwellings on adjacent property.
 - D. All equipment and processing shall take place within an enclosed structure.
 - E. There shall be no outdoor storage of biomass materials or other materials or equipment.
 - F. The applicant shall address and document performance standards for siting to minimize impacts on neighboring properties, which shall include odor, prevailing wind patterns, proximity to nonagricultural properties, operational noise, and specific hours of operation.
 - G. All systems shall be designed and constructed in compliance with the PADEP and all applicable local, state and federal codes and regulations. Copies of all such approvals shall be submitted prior to issuance of the certificate of occupancy.
 - H. The applicant shall provide either a letter from the Lancaster County Conservation District stating that the proposed anaerobic or manure digester has been reviewed and approved for compliance with the regulations, and requirements of the State Manure Management Program; or a letter from the Lancaster County Conservation District stating that no review is required under applicable ordinances or that it will not review the proposal.
5. An outdoor hydronic heater is permitted as an accessory use in the Agricultural and R-1 Districts and shall comply with the following:
- A. The minimum lot size for an outdoor hydronic heater shall be ten (10) acres in the Agricultural District and shall be three (3) acres in the R-1 District.
 - B. Fuel sources:
 - (1) Permitted fuel sources are those specified by PADEP. Under no circumstance shall trash be used as a fuel source.
 - (2) Combustion of the following fuel substances is expressly prohibited: industrial waste, rubber, plastics, used motor oil, toxic chemicals, contaminated waste, yard waste, household garbage, cardboard and wastepaper, animal waste and any material prohibited for combustion by federal or state statute.
 - C. An outdoor hydronic heater shall meet all current applicable EPA and PADEP regulations. Such heater shall maintain the hang tag, demonstrating compliance on the boiler unit at all times. Manufacturer specifications shall be submitted as part of the application.
 - D. An outdoor hydronic heater shall be setback a minimum of fifty (50) feet from any property line, and no heater shall be located between the principal building and any street right-of-way line.
 - E. All outdoor hydronic heaters shall have an attached stack with a minimum height of ten (10) feet that also extends at least two feet above the highest peak of any residence located less than one hundred fifty (150) feet from the outdoor hydronic heater.
 - F. In the event that an outdoor hydronic heater is damaged, abandoned, or physically decayed to the point of becoming noncompliant with this section, the boiler shall be removed and/or replaced with a new unit within sixty (60) days of the date that notice is received from the Township. In the event of replacement, all provisions of this

section in effect at the time of replacement shall be complied with.

6. Riding Schools, Stables and Large Animal Veterinary Facilities are permitted in the Agricultural and R-1 District by conditional use and shall comply with the following:
 - A. The use shall be proposed on an existing and operating farm with a minimum lot size of ten (10) acres.
 - B. The entire perimeter of any grazing area must be enclosed in a well-maintained fence compliant with Section 2101.
 - C. No riding ring or exercise pen, jumping area, or show area shall be located within one hundred (100) feet of a property line or street right-of-way or three hundred (300) feet from a residential zoning district boundary.
 - D. The applicant shall provide sufficient information to demonstrate how any areas used for riding and pasturing will be maintained with a stabilized vegetative cover.
 - E. The location of manure storage shall comply with Section 605.2.A.(4) and Section 2101.4 of the Ordinance and shall be stored in accordance with the Clean Streams Law and the practices presented by the PA Manure Management Manual, as amended.

7. Aquaculture Enterprises are permitted in the Agricultural District by conditional use and shall comply with the following:
 - A. The use shall be proposed on an existing and operation farm with a minimum lot size of ten (10) acres.
 - B. Unless the regulations or established guidelines of the PADEP, US Army Corp, LCCD, Fish & Boat Commission or other agency having jurisdiction over the operation require a greater setback, all facilities shall be setback as follows:
 - (1) One hundred (100) feet of any sinkhole, area draining into a sinkhole, closed depressions or disappearing streams; fifty (50) feet from any lineaments or fracture traces; or twenty-five (25) feet from surface or identified subsurface pinnacles.
 - (2) Three hundred (300) feet from an existing occupied dwelling.
 - (3) Fifty (50) feet from any property boundary.
 - (4) Five hundred (500) feet from a boundary of any nonagricultural zoning district.
 - C. Operations of aquaculture enterprise.
 - (1) Permitting. Prior to the start of operations of an aquaculture enterprise, the facility shall obtain any necessary permits from PADEP, US Army Corp, LCCD, Fish & Boat Commission or other permitting agency. A copy of any permits must be given to the Township thirty (30) days prior to the commencement. Any changes to the permit must be supplied to the Township within thirty (30) days after such a change is made.
 - (2) The owner of the property must comply with all federal and state regulations, including all permit conditions, applicable to the operation of the aquaculture

- enterprise.
- (3) The operator of the aquaculture enterprise shall not permit odors, noise, or other public nuisances greater than those found in normal farming operations. The operator of the facility, prior to the commencement of activities, must present a plan to the Township that describes how the facility will discourage the attraction, harborage or breeding of vectors.
 - (4) Containment of aquatic life may be within the limits of a floodplain provided necessary approvals are approved in accordance with the Manheim Township Floodplain Ordinance.
 - (5) The operator of the aquaculture enterprise shall comply with all the emergency response and notification provisions provided by PADEP regulations or guidelines, or any other federal or state agency having jurisdiction over the operation.
 - (6) Other ordinances. The owner of the property containing an aquaculture enterprise shall comply with all other applicable ordinances and requirements of the Township, including without limitation this Ordinance, the Subdivision and Land Development Ordinance, the Stormwater Management Ordinance, the Floodplain Ordinance, and building codes of the Township, as well as all other ordinances or regulations.
 - (7) Screening. The aquaculture enterprise shall be screened as required by Section 2512. All outside storage, parking or display of products, equipment or supplies shall be screened by a landscape screen or other visual barrier approved by the Township.
 - (8) Signs. All signs for the aquaculture enterprise shall comply with requirements of Article XVIII, Sign Regulations.
 - (9) Off-street parking. The aquaculture enterprise shall provide adequate parking or other spaces so that trucks accessing the facility may pull completely on the lot before loading or unloading materials.
 - (10) Direct sales to residents are prohibited.

SECTION 2504. BANKS, FINANCIAL INSTITUTIONS AND RESTAURANTS IN THE B-1 BUSINESS DISTRICT

1. All restaurants and banks and financial institutions shall be accessory to the principal permitted uses within the building and shall be primarily oriented to serving persons within said offices.
2. Both public sewer and public water service are required.
3. All restaurants and banks and financial institutions shall be located within a building in which offices are located. The building within which these uses are located shall be at least two hundred (200) feet from adjacent residential properties.
4. Entrances to these facilities shall be located the maximum distance possible from adjacent residential properties.
5. No more than ten (10) percent of the gross floor area of any one building may be utilized for all restaurants and banks and financial institutions combined.

6. Buildings containing restaurants and banks and financial institutions in combination with offices shall comply with all other minimum lot requirements for offices as delineated within the B-1 Business District.
7. Parking shall be provided for restaurants and banks and financial institutions in addition to what is required and provided for the offices in which these facilities are located. (See Section 2002)
8. No drive-in restaurant or restaurant serving alcohol shall be permitted within the site.

SECTION 2505. BED-AND-BREAKFAST ESTABLISHMENTS

Within a zoning district in which a bed-and-breakfast establishment is permitted by special exception or by right, the Township may approve such a use, subject to the following requirements:

1. The owner of a bed-and-breakfast establishment shall be the primary occupant of the establishment.
2. The operator of a bed-and-breakfast establishment may be a family member who is not the owner.
3. The owner of a bed-and-breakfast establishment shall keep a register indicating the names of all guests and the length of stay of all such guests.
4. No more than five (5) bed-and-breakfast units shall be permitted in any bed-and-breakfast establishment located in a residential district and no more than eight units in a business district.
5. The minimum lot size shall equal that for a single-family detached dwelling in the underlying district for the first three (3) guest rooms, plus one quarter (1/4) acre for each additional guest room.
6. Breakfast shall be the only meal furnished to those guests currently occupying a bed-and-breakfast unit. In no case shall food be served to persons not staying in a bed-and-breakfast unit.
7. No cooking facilities shall be permitted in any bed-and-breakfast unit.
8. Bed-and-breakfast units shall be rented on a nightly basis for periods not to exceed one (1) week.
9. There shall be no external alteration of the building except as may be necessary for reasons of safety. Fire escapes and outside stairways shall, where practicable, be located to the rear of the building.
10. One (1) sign shall be permitted within the property of a bed-and-breakfast establishment, provided said sign is in full compliance with the sign provisions contained in Article XVIII.
11. In addition to the parking requirements provided for in this ordinance, one (1) off-street

parking space shall be provided for each bed-and-breakfast unit within a bed-and-breakfast establishment.

12. No more than two (2) nonfamily members of the owner of a bed-and-breakfast establishment shall be employed within the establishment.
13. Proper storage area for food storage and garbage disposal shall be provided within a bed-and-breakfast establishment.
14. Where a bed-and-breakfast establishment has more than one (1) bed-and-breakfast unit, the bed-and-breakfast establishment shall have a minimum of two (2) bathrooms for every three (3) bed-and-breakfast units.
15. No bed-and-breakfast establishment shall be located within five hundred (500) feet of another such establishment unless separated by a public street.
16. Where a bed-and-breakfast establishment is located within a residential district, the area and bulk regulations for single-family detached dwellings shall apply. The area and bulk regulations for a bed-and-breakfast establishment in a nonresidential district shall be in accordance with the applicable zoning district.

SECTION 2506. BODY ART ESTABLISHMENTS

1. No such establishment shall be allowed within one thousand (1,000) feet of another such body art establishment.
2. No such establishment shall be allowed within one hundred (100) feet of a residential district.
3. No such establishment shall be allowed within one hundred (100) feet of an existing school, day care or preschool, park or playground or houses of worship.
4. All body art establishments shall be required to pass an annual inspection conducted by the City of Lancaster Health Division. Application and inspection fees shall be processed through the Manheim Township Planning and Zoning Department.

SECTION 2507. BUSINESS USES

All business uses shall comply with the following requirements:

1. Highway access (driveway locations):
 - A. Distance from intersection of right-of-way lines:
 - (1) Entrance onto an arterial road or a major collector road: One hundred (100) feet.
 - (2) Entrance onto other road classifications: Fifty (50) feet.
 - B. Distance between driveways located on the same lot, measured from driveway edges:
 - (1) Entrance onto an arterial road or a major collector road: One hundred (100) feet.
 - (2) Entrance onto other road classifications: Fifty (50) feet.
 - C. Distance from side property lines: Ten (10) feet except where shared access is

provided between two (2) lots and access rights and responsibilities are defined by an access agreement.

2. Business activity shall not be conducted outside a building, except where expressly specified. In those instances when merchandise is displayed on the exterior of the building, the merchandise shall not be permitted to be located in the required perimeter buffer.
3. Light emanating from any source on the property shall not be greater than two (2) footcandles measured at a three (3) foot height at the property line except where the adjacent properties are developed as an office park, industrial park or shopping center. Energy-efficient lights shall be utilized such as low- and high-pressure sodium and metal halide.
4. Waste material shall not be stored on the lot outside of a building except in a container that is in compliance with all rules and regulations of the Lancaster County Solid Waste Management Authority and the PADEP. Any such containers for garbage or recycling shall be located to the rear or side of the lot, screened from view. One central collection area shall be provided for all users in each building.
5. Screening and landscaping shall be in accordance with Section 2512 and Section 2513.
6. Loading facilities shall not be permitted in the area between the building setback line and the street line.
7. Operations shall not be permitted which constitute a danger or nuisance to the community.
8. Any mechanical equipment which is not enclosed within a building shall be fully and completely screened from view in a manner compatible with the architectural and landscaping style of the overall property.

SECTION 2508. DAY-CARE CENTERS, COMMERCIAL

1. Both public sewer and public water service are required.
2. Location of day-care centers.
 - A. A day-care center may be located either within an office building or within any other building permitted within each zoning district, or it may be located on a separate lot.
 - B. The day-care center shall be located in a manner that reduces or eliminates potential hazards to the children being cared for at the facility. It shall be the responsibility of the landowner to show, to the satisfaction of the Zoning Hearing Board, full compliance with this provision.
3. Buildings containing day-care centers, whether in combination with offices or on separate lots, shall comply with all minimum lot requirements for offices as delineated within the applicable zoning district.
4. Adequate parking shall be provided for both the day-care centers and all offices when located on the same lot. The circulation pattern of the parking area shall be designed to provide a safe and convenient pedestrian access from all parking spaces to the entrance of the facility, with the crossing of traffic lanes minimized to the greatest extent feasible.

5. Any outside play area associated with a day-care center shall be properly and completely fenced, in accordance with Section 2108 of this ordinance.

SECTION 2509. GROUP HOMES

1. A group home shall only be located within a single-family detached dwelling and shall comply with the area and bulk regulations for a single-family detached dwelling within the applicable zoning district.
2. The purpose of a group home shall be to provide an opportunity for disabled individuals to return to or remain in their communities in order to develop their maximum potential as citizens.
3. A group home shall comply with the Pennsylvania Department of Labor and Industry Rules and Regulations, the Pennsylvania Department of Public Welfare Rules and Regulations, and the Manheim Township Building and Fire Codes.
4. All group homes shall be licensed by either the county government or the Commonwealth of Pennsylvania and shall be in compliance with all applicable rules and regulations of those bodies.

SECTION 2510. HORTICULTURAL/HYDROPONIC USES REFER TO SECTION 2503

SECTION 2511. INDUSTRIAL USES

1. Highway access (driveway locations):
 - A. Distance from intersection of right-of way-lines:
 - (1) Entrance onto an arterial road or a major collector road: One hundred (100) feet.
 - (2) Entrance onto other road classifications: Fifty (50) feet.
 - B. Distance between driveways located on the same lot, measured from driveway edges:
 - (1) Entrance onto an arterial road or a major collector road: One hundred (100) feet.
 - (2) Entrance onto other road classifications: Fifty (50) feet.
 - C. Distance from side property lines: Twenty (20) feet except where shared access is provided between two (2) lots and access rights and responsibilities are defined by an access agreement.
2. Screening and landscaping shall be in accordance with Section 2512 and Section 2513.
3. Light emanating from any source on the property shall not be greater than two (2) footcandles measured at a three (3) foot height at the property line. Energy-efficient lights shall be utilized such as low and high-pressure sodium and metal halide.
4. No industrial use, including lighting, shall carry on operations that would produce heat or glare beyond the property line of the lot on which the industrial operation is located.
5. Waste material shall not be stored except in an enclosed building or approved containers

and shall be in conformance with all applicable local, state, and/or federal standards. Any such containers for garbage or recycling shall be located to the side or rear of the principal building. One central collection area shall be provided for all tenants of a single building.

6. Emission of odorous gases or other odorous matter in such quantities as to be offensive at any lot lines shall not be permitted.
7. No industrial use shall emit noxious, toxic, or corrosive fumes or gases.
8. All industrial operations shall be in compliance with all other applicable local, state, and/or federal standards as required by the most recent regulations at these governmental levels.
9. Loading facilities shall not be permitted in the area between the building setback line and the street line.
10. Operations shall not be permitted which constitute a danger or nuisance to the community.

SECTION 2512. LANDSCAPING AND SCREENING

1. Landscape materials. A minimum of fifty (50) percent of all vegetation required for a site shall consist of native species. Invasive species shall not be permitted.
2. Planting strip.
 - (A) Planting strip required. All nonresidential uses shall be separated from all side and rear property lines and all street right-of-way lines by a planting strip having a minimum width of ten (10) feet measured from the property line, right-of-way line, or easement, except that uses located within the T-6 Urban Transition or D-R Retrofit Overlays may reduce the width of such planting strip in order to meet the required build-to line and sidewalk provisions. Such planting strips shall be located in the perimeter buffer and the required front yard.
 - (1) Said planting strip shall be planted in grass, shrubbery, trees, or other plant material and shall not be paved or otherwise covered by an impervious surface, except that, where located within the D-R Retrofit or T-6 Urban Transition Overlay, brick pavers may be installed along the right-of way line in lieu of vegetation. The installation of pavers or vegetation shall be consistent along an entire block.
 - (3) Said planting strip shall only be broken by approved entrances or exits, including sidewalks, walkways, or nonmotorized paths.
3. Parking lot screen and landscaping.
 - A. Screening along street rights-of-way. All parking lots with more than ten (10) spaces shall be screened from any street right-of-way by a landscape screen to be installed within a ten (10) foot-wide planting strip measured from the right-of-way line.
 - (1) The landscape screen may be composed of a combination of shrubs, trees, fences/walls, earthen berms, or some combination thereof.
 - [a] Shrubs shall have a minimum height of two (2) feet measured from ground level at the time of planting and shall reach a maximum height of forty-

two (42) inches at maturity.

- [b] Trees shall have a minimum height of eight (8) feet above finished ground level and a trunk caliper of at least one and one-half (1 ½) inches at the time of planting.
 - [c] Earthen berms shall have a minimum height of one (1) foot. Earthen berms shall not be permitted within the T-6 Urban Transition or D-R Retrofit Overlays.
 - [d] Within the D-R Retrofit or T-6 Urban Transition Overlays, a combination of walls and landscaping materials is encouraged. Fencing shall not be permitted, except in combination with masonry piers or walls. Walls shall consist of stone or brick and shall have a maximum height of forty-two (42) inches.
- (2) The plants selected for use in the landscape screen shall be predominantly native species, suited for such plantings, and be arranged in such manner as to provide a continuous visual buffer within two (2) years of planting.
 - (3) The Township encourages naturalistic planting designs which enhance the visual effect of the landscape along public streets.
 - (4) The landscape screen shall be broken only at points of vehicular or pedestrian access or as specified in Section 2512.2.A.
 - (5) In order for the Zoning Officer to determine compliance with the requirements of this section, a plan shall be submitted showing the proposed design of the landscape screen. Said plan shall include a plant schedule and sufficient information as required for the installation of the screen. The plan shall be sealed by a landscape architect licensed to practice in the Commonwealth of Pennsylvania.
- B. Screening of residential parking lots from adjoining residential uses. All residential parking lots with more than four (4) spaces shall be screened from adjoining residential uses by a landscape screen.
- (1) The landscape screen shall be composed of shrubs that have a minimum height of at least three (3) feet, measured from ground level at the time of planting.
 - (2) The plants shall be arranged in such manner as to provide a continuous visual buffer.
 - (3) The Zoning Officer may require the submittal of such information necessary to determine compliance with the requirements of this section.
 - (4) The Township encourages naturalistic planting designs which enhance the visual effect of the landscape screen.
- C. Parking lot interior landscaping. All parking lots with twenty (20) or more spaces shall be provided with interior landscaped areas. The intent of this section is to require landscaping within parking lots; therefore, landscaping screens, planting strips

and landscaping surrounding buildings shall not be considered as interior landscaping.

- (1) The interior landscaping shall be provided within island planters having a minimum area of nine (9) feet by thirty-six (36) feet. All islands shall be curbed except where curb cuts are included as part of stormwater conveyance.
 - (2) The interior parking lot landscaping shall be placed so as to delineate driving lanes, define rows of parking, mitigate stormwater, and generally mitigate the visual impact of parking lots. One standard-sized or larger island shall terminate each parking row. Two trees underplanted with ground cover shall be provided for each standard island at the end of a parking row.
 - (3) One (1) standard island shall be provided per each twenty (20) spaces, or each ten (10) spaces in a single row. A minimum of one (1) tree underplanted with ground cover shall be provided in each interior island.
 - (4) Landscaping shall be composed of a combination of native shrubs and trees.
 - (5) In order for the Zoning Officer to determine compliance with the requirements of this section, a plan shall be submitted showing the proposed design of the interior landscaping. Said plan shall include a plant schedule and sufficient information as required for the installation of the landscaping. The plan shall be sealed by a landscape architect licensed to practice in the Commonwealth of Pennsylvania.
 - (6) Any tree or shrub, planted to meet the requirements set forth in Section 2512 and Section 2513.
4. Screening of nonresidential uses. All nonresidential uses shall be screened from adjoining residential uses by a landscape screen to be installed within the required perimeter buffer and planting strip.
- A. The landscape screen along any parking area, loading area, or outdoor storage area shall consist of a double row of evergreen planting material which shall be a minimum of four (4) feet in height measured at ground level at the time of planting, the material shall be planted at a maximum spacing of eight (8) feet, and the two (2) rows shall be staggered to provide the most effective screening. An opaque fence or wall six (6) feet in height with one (1) row of plant material as required herein on the side facing the adjoining property may be substituted for the double row of plant material. Said fence or wall shall not be located within any required perimeter buffer.
 - B. The landscape screen along areas other than parking areas, loading areas, or outdoor storage shall be composed of the following combination of trees and shrubs:
 - (1) Shrubs shall have a minimum height of three (3) feet measured from ground level at the time of planting.
 - (2) Trees shall have a minimum height of six (6) feet above finished ground level and a trunk caliper of one and one-half (1 1/2) inches.
 - C. The plants selected for use in the landscape screen shall consist of fifty (50) percent

- native species, suited for such plantings, and be arranged in such manner as to provide a continuous visual buffer within two (2) years of planting.
- D. In order for the Zoning Officer to determine compliance with the requirements of this section, a plan shall be submitted showing the proposed design of the landscape screen. Said plan shall include a plant schedule and sufficient information as required for the installation of the screen. The plan shall be sealed by a landscape architect licensed to practice in the Commonwealth of Pennsylvania.
 - E. Any tree or shrub, planted to meet the requirements set forth in Section 2512 and Section 2513, that dies shall be replaced.
 - F. The Township encourages naturalistic planting designs which enhance the visual effect of the landscape screen.
5. Screening of residential apartment buildings greater than thirty-five (35) feet in height from existing single-family residential uses. All apartment dwelling units exceeding thirty-five (35) feet in height shall be screened from existing adjacent residential uses by a ten (10) foot-wide landscape screen.
- A. The landscape screen shall be composed of a combination of evergreen trees and shrubs.
 - (1) Shrubs shall have a minimum height of three (3) feet measured from ground level at the time of planting.
 - (2) Evergreen trees shall have a minimum height of six (6) feet above finished ground level and a trunk caliper of one and one-half (1 1/2) inches at the time of planting.
 - B. The plants selected for use in the landscape screen shall be predominately native species, suited for such plantings, and be arranged in such manner as to provide a continuous visual buffer so as to block the ground-level views between grade and a height of six (6) feet. The effective visual barrier shall be achieved within two (2) years of planting.
 - C. The Township encourages naturalistic plantings and encourages the preservation of existing plantings if it can provide a continuous visual buffer.
 - D. Any tree or shrub, planted to meet the requirements set forth in Section 2512 and Section 2513, that dies shall be replaced.
 - E. In order for the Zoning Officer to determine compliance with the requirements of this section, a plan shall be submitted showing the proposed design of the landscape screen. Said plan shall include a plant schedule and sufficient information as required for the installation of the screen. The plan shall be sealed by a landscape architect licensed to practice in the Commonwealth of Pennsylvania.

SECTION 2513. SCREENING OF SPECIFIC USES

The following uses shall comply with the standards for screening as indicated:

1. Community clubs. All outdoor storage and parking and/or loading areas within one hundred (100) feet of a rear or side property line shall be screened from the adjacent properties by a landscape screen comprised of plant materials, fencing or some combination thereof approved by the Township.
2. Houses of worship. All outdoor storage and parking and/or loading areas within one hundred (100) feet of a rear or side property line shall be screened from the adjacent properties by a landscape screen comprised of plant materials, fencing or some combination thereof approved by the Township.
3. Funeral homes. All outdoor storage and parking and/or loading areas within one hundred (100) feet of a rear or side property line shall be screened from the adjacent properties by a landscape screen comprised of plant materials, fencing or some combination thereof approved by the Township.
4. Golf courses and golf driving ranges. All buildings, outdoor storage, and parking and/or loading areas within one hundred (100) feet of a rear or side property line shall be screened from the adjacent properties by a landscape screen comprised of plant materials, fencing or some combination thereof approved by the Township.
5. Stables and kennels. All outdoor storage and animal facilities and parking and/or loading areas within one hundred (100) feet of a rear or side property line shall be screened from the adjacent properties by a continuous visual buffer approved by the Township.
6. Veterinary offices/hospitals. All outdoor storage and animal facilities and parking and/or loading areas within one hundred (100) feet of a rear or side property line shall be screened from the adjacent properties by a continuous visual buffer approved by the Township.
7. Public utility installations. All buildings and parking and/or loading areas within one hundred (100) feet of a rear or side property line shall be screened from the adjacent properties by a continuous visual buffer approved by the Township.

SECTION 2514. OFFICE PARKS

1. It is the purpose of this section to provide for the orderly and integrated development of a campus-like professional office park, consisting of a variety of office facilities and uses for local residents as well as the general public.
2. An office park shall be permitted as a conditional use in accordance with general standards as set forth in Section 2810.3 herein and specific criteria as set forth below. Where said general standards and specific criteria overlap, the specific criteria shall supersede the general standards.
 - A. Conceptual site plan. A conceptual site plan for the entire tract shall be provided and be consistent with the following criteria. Such site plan shall include the following specifications:
 - (1) Tract boundary and adjacent landowners.
 - (2) Location of development within the Township and adjacent municipalities.
 - (3) North point, scale and date.

- (4) Streets on and adjacent to the tract.
- (5) Significant topographical and physical features.
- (6) Potential size and location of proposed structure.
- (7) Identification of generalized land uses.
- (8) Potential lot configuration.
- (9) Proposed landscaping, screening and buffering plan.
- (10) Proposed interior street layout and parking lot configuration.
- (11) Proposed interior circulation plan for vehicular and pedestrian traffic.
- (12) Statement that the proposed use will not have a substantial adverse effect upon congestion of streets and highways or upon traffic levels of service or any hazards arising therefrom. The Township may require the applicant to submit a traffic study prepared by a qualified traffic engineer to satisfy this requirement.

B. Office park criteria.

- (1) Permitted uses:
 - [a] Day-care centers.
 - [b] Banks and similar financial institutions, provided that the building shall be located at least two hundred (200) feet from adjacent residential properties.
 - [c] Commercial recreational facilities, provided that the building containing such facility shall be at least two hundred (200) feet from adjacent residential properties.
 - [d] Educational institutions.
 - [e] Offices, medical and dental.
 - [f] Offices, Professional.
 - [g] Parking garages and parking lots accessory to other permitted uses.
 - [h] Public parks and recreation areas.
 - [i] Public utility installations.
 - [j] Restaurants, excluding drive-in/drive-through restaurants, as defined herein, provided that the building containing such facility shall be at least two hundred (200) feet from adjacent residential properties.
 - [k] Retail sales and retail services, provided that such retail uses shall be compatible with other permitted uses and shall not include supermarkets, motor vehicle service stations or garages, motor vehicle sales areas or buildings, or adult establishments, and further provided that:

- [i] No single establishment shall exceed five thousand (5,000) square feet in gross floor area; and
 - [ii] Aggregate total of retail sales and retail services shall not exceed fifteen thousand (15,000) square feet or fifteen (15) percent of the office park, whichever is less.
 - [l] Municipal uses.
 - [m] Uses, buildings and structures customarily accessory and incidental to any permitted use, including, but not limited to, recreational areas.
- (2) Maximum building height: (All structures are subject to Section 2208 and Section 2214 of this ordinance.)
- [a] Fifty (50) feet, provided that if the lot is adjacent to a residential district, the minimum yard dimensions along the side contiguous with the residential district shall be increased by two (2) feet for every foot of building height over forty-five (45) feet. This increase shall be in addition to all other minimum yard dimensions set forth in Subsection B.(3).(e) below.
 - [b] Buildings located within one hundred fifty (150) feet of a residential district shall be limited to three (3) stories.
- (3) Minimum requirements.
- [a] Sewer and water. Both public sewer and public water service are required.
 - [b] Access. Proposed tract must abut and have access to a collector or arterial street as identified by the Township.
 - [c] Minimum tract area: ten (10) contiguous acres, not divided by a public right-of-way.
 - [d] Minimum lot area, width and depth: none, except as based upon required minimum yard dimensions, minimum open area, minimum off-street parking requirements, and other applicable standards contained within this ordinance.
 - [e] Minimum yard dimensions (per lot) (all subject to Section 2213 of this ordinance):
 - [i] Front yard: Twenty-five (25) feet.
 - [ii] Side yard, each side: Ten (10) feet, provided that if the lot is adjacent to a residential district, the side yard shall be seventy (75) feet along the side contiguous with the residential district.
 - [a] No minimum side yard shall be required on either side of the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoined side by side if the buildings are connected by passageways, corridors or common

areas; and corridors or common areas are provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.

- [b] In order to reduce the continuous appearance of the adjoining buildings or structures, each of the adjoining and connected buildings on the lots, not subject to the specified minimum side yard dimensions, shall have a visual break in the building facade at minimum distances of every sixty (60) feet. Such visual breaks may consist of projections from the building, angles of deflection of the building's center line, or variations in the color or texture of the facade.
- [iii] Rear yard: Twenty-five (25) feet, provided that if the lot is adjacent to a residential district, the rear yard shall be seventy-five (75) feet along the side contiguous with the residential district.
 - [a] No minimum rear yard shall be required on the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoined to the rear if the buildings are connected by passageways, corridors, or common areas; and the use of such passageways, corridors or common areas is provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.
- [iv] Interior yards: open space between separate principal buildings on the same lot.
 - [a] When front to front, rear to rear, or front to rear, parallel buildings shall have fifty (50) feet between faces of the building. If the front or rear faces are obliquely aligned, the above distance may be decreased by as much as ten (10) feet at one end if increased by similar or greater distance at the other end.
 - [b] An interior yard of fifty (50) feet is required between end walls of buildings. If the buildings are at right angles to each other, the distance between the corners of the end walls of the building may be reduced to a minimum of twenty-five (25) feet.
 - [c] An interior yard of fifty (50) feet is required between end walls and front or rear faces of buildings.
- [v] Perimeter buffer, all sides: Ten (10) feet, provided that should off-street parking areas be shared between lot occupants, and cross lot lines, no perimeter buffer shall be required at such contiguous lot lines. If the lot is adjacent to a residential district, the perimeter

buffer shall be forty (40) feet along the side contiguous with the residential district.

- [f] Buffering/screening/landscaping/lighting. At a minimum, all buffering, screening, landscaping and lighting shall be provided in accordance with Section 2507.3, Section 2507.8, Section 2512 and Section 2513 herein.
- [g] Minimum open area: Thirty-five (35) percent of total office park development, of which up to fifty (50) percent of provided open space can be located in stormwater and drainage easements.
- [h] Off-street parking. Off-street parking shall be provided in accordance with Article XX herein.
- [i] Other requirements. Office parks shall comply with provisions contained within Section 2507 herein.

SECTION 2515. ACCESSORY DWELLING UNITS

1. It is the purpose of this section to provide the opportunity to encourage and to accommodate extended family living, without substantially altering existing neighborhood character.
2. Accessory dwelling units shall be permitted as a use by special exception in accordance with the general standards as set forth in Section 2805.2 herein and specific criteria as set forth below. Where said general standards and specific criteria overlap, the specific criteria shall supersede the general standards.
 - A. The installation of an accessory dwelling unit in new and existing single-family dwellings (hereinafter "principal dwellings") shall be subject to the following development, design and owner-occupancy standards:
 - (1) All provisions of the zoning district shall apply, except the provisions regarding the number of dwelling units permitted on a lot.
 - (2) The design and construction of an accessory dwelling unit shall conform to all applicable standards in Manheim Township's building, plumbing, electrical, fire and any other applicable codes.
 - (3) An accessory dwelling unit shall be contained in, or attached to, the principal dwelling or be located above a detached garage.
 - (4) An accessory dwelling unit may be constructed in either an existing or a new single-family dwelling.
 - (5) The addition of an accessory dwelling unit to the principal dwelling shall be designed so that the appearance of the building remains that of a single-family dwelling.
 - (6) The maximum size of an accessory dwelling unit shall not exceed forty (40) percent of the principal dwelling total floor area, nor more than one thousand (1,000) square feet, nor have more than two (2) bedrooms.

- (7) The property owner must occupy either the principal dwelling or the accessory dwelling unit as their permanent residence.
- (8) Occupancy of an accessory dwelling unit, or principal dwelling, shall be limited to the property owner or those related by blood or marriage or adoption to the property owner.
- (9) Accessory dwelling units shall not be located in basements.
- (10) Only one (1) accessory dwelling unit shall be permitted per principal dwelling.
- (11) One (1) additional off-street parking space shall be provided for the accessory dwelling unit.
- (12) The principal dwelling and accessory dwelling unit must be served by public sewer and public water service.
- (13) Accessory dwelling units are permitted to be located on lots that are ninety (90) percent or more of the zoning district's required minimum lot size.
- (14) Restoration plan. A plan for the removal of the accessory dwelling unit that identifies those structures, exterior and interior walls, electrical and plumbing improvements and connections to public water and sewer services to be retained and those to be removed upon termination of the accessory dwelling unit shall be submitted with the application for an accessory dwelling unit permit. In particular, it shall include a removal plan for the stove.

B. Accessory dwelling unit permits.

- (1) In the event an application is approved, then an accessory dwelling unit permit shall be issued to the applicant. The accessory dwelling unit permit shall be deemed to be automatically revoked upon vacation of the accessory dwelling unit, or principal dwelling unit, by the property owner or those related by blood or marriage or adoption to the property owner.
- (2) Any property owner with an existing accessory dwelling unit at the time of the passage of this ordinance shall have a period of ninety (90) days from said date to apply for an accessory dwelling unit permit, subject to the following:
 - [a] The applicant must provide adequate proof that he or she had an accessory dwelling unit prior to the date this ordinance was adopted; and
 - [b] The applicant must provide adequate proof that a certificate of use and occupancy has been issued for the area utilized as an accessory dwelling unit.
- (3) An accessory dwelling unit permit shall expire December 31 of each year and, once granted, may be renewed without additional hearings, subject to the provisions of this section, by completing the renewal form prescribed by the Zoning Officer and paying the annual permit fee adopted by the Board of Commissioners. Failure to apply for renewal and/or failure to pay for the annual permit shall be grounds for revocation of a permit.

- (4) The Zoning Officer, or designee, shall have the right, at any time, upon reasonable request, to enter and inspect an accessory dwelling unit for which an accessory dwelling unit permit has been issued.
- (5) The permit holder shall notify the Zoning Officer in writing within ninety (90) days once the accessory dwelling unit is no longer needed, the property is sold or for some other reason the applicant no longer meets the requirements for such use. Upon notification, the accessory dwelling unit permit shall be terminated. The applicant shall then comply with the terms of the restoration plan within ninety (90) days of the date of termination.

SECTION 2516. TELECOMMUNICATIONS FACILITIES

1. Purpose. It is the purpose of this section to balance the interests of the residents of the Township, telecommunications providers, and telecommunications customers in the siting of telecommunications facilities within the Township so as to protect the health, safety and integrity of residential neighborhoods through appropriate zoning and land use controls and to provide a competitive environment for telecommunications carriers that does not unreasonably discriminate among providers of functionally equivalent personal wireless services and shall not prohibit or have the effect of prohibiting the provision of personal wireless services. To that end, this section shall:
 - A. Provide for appropriate locations and development of telecommunications facilities in the Township.
 - B. Protect the Township's developed and natural environment by promoting compatible design standards for telecommunications facilities.
 - C. Minimize adverse visual impacts of telecommunications facilities through careful design, siting, landscape screening and innovative camouflaging techniques.
 - D. Avoid potential damage to adjacent properties from tower or antenna failure through engineering and careful siting to telecommunications tower structures and antennas.
 - E. Maximize use of any new and existing telecommunications towers so as to minimize the need to construct new towers and minimize the total number of towers throughout the Township.
 - F. Encourage and promote the location of new telecommunications facilities in areas that are not zoned for residential use.
 - G. To allow for, and regulate, telecommunications facilities in accordance with the Federal Telecommunications Act of 1996.
2. Exclusions. The following shall be exempt from this ordinance:
 - A. Any tower and antenna less than eighty (85) feet in total height that is owned and operated by an amateur radio operator licensed by the Federal Communications Commission.
 - B. Any device designed for over-the-air reception of television broadcast signals,

multichannel multipoint distribution service or direct broadcast satellite service.

- C. Any telecommunications facilities located on property owned, leased or otherwise controlled by the Township, provided a license or lease authorizing the telecommunications facility has been approved by the Township.
3. Preferred location sites.
- A. Co-location sites. Any existing telecommunications tower currently being used for transmitting or receiving analog, digital, microwave, cellular, telephone, personal wireless service or similar forms of electronic communication shall be a preferred location site, regardless of the underlying zoning designation of the site; provided, however, that locations which meet this criteria shall be subject to the design and siting components of this ordinance.
 - B. Publicly used structures. Publicly used structures are preferred location sites throughout the Township because they appear in virtually all neighborhoods, are dispersed throughout the Township, and, due to their institutional or infrastructure uses, are generally similar in appearance to or readily adaptable for telecommunications facilities. Therefore, telecommunications facilities should be less noticeable when placed on publicly used structures than when placed on commercial or residential structures. Publicly used structures include, but are not limited to, facilities such as police or fire stations, libraries, community centers, civic centers, courthouses, utility structures, water towers, elevated roadways, bridges, flagpoles, schools, hospitals, clock or bell towers, light poles and houses of worship.
 - C. Industrial and commercial structures. Wholly industrial and commercial structures, such as warehouses, factories, retail outlets, supermarkets, banks, motor vehicle service stations, and approved accessory buildings, shall be preferred location sites, particularly where existing visual obstructions or clutter on the roof or along a roofline can and will be removed as part of the installation of the telecommunications facility.
4. General standards.
- A. Permitted telecommunications facilities.
 - (1) Telecommunications tower requirements. Table 1 indicates, for each zoning district, which type of telecommunications towers are permitted and whether the tower is a use permitted and whether the tower is a use permitted by right, special exception or condition. An "N" indicates that a telecommunications tower is not permitted in that specific zoning district.
 - (2) Permitted number of carriers and height requirements. Table 2 indicates the maximum permitted height of telecommunications towers in each zoning district in relation to the number of users located on each tower.
 - B. There shall be no more than two (2) towers located on any one (1) parcel of property.
 - C. Radial spacing. Antenna towers eighty-five (85) feet or taller shall be located at least 2,640 feet from other antenna towers of eighty-five (85) feet or taller.

D. Compliance with other provisions.

- (1) All telecommunications facilities must meet or exceed current standards and regulations of the FAA, the FCC and any other agency of the state or federal government with the authority to regulate telecommunications facilities. If such standards and regulations are changed, then the owners of the telecommunications facilities governed by this ordinance shall bring such telecommunications facilities into compliance with such revised standards and regulations within the date established by the agency promulgating the standards or regulations.
- (2) All proposed telecommunications facilities must complete the United States Department of Transportation Federal Aviation Administration Form 7460-1 (1-93) or its equivalent. A copy of the approved application shall be submitted to the Township as part of the required information for application for permit.
- (3) Owners of telecommunication facilities shall provide documentation showing that each telecommunications facility is in compliance with all applicable federal and state requirements. Evidence of compliance must be submitted every 12 months.

E. A report from a qualified engineer, licensed in the Commonwealth of Pennsylvania, shall be submitted for review in addition to all information required for a Manheim Township Zoning Hearing Board application, conditional use applications, or application for permit, documenting the following:

- (1) Telecommunications facility height and design, including technical, engineering, economic, and other pertinent factors governing selection of the proposed design.
- (2) Evidence of structural integrity of the tower structure.
- (3) Structural failure characteristics of the telecommunications facility and demonstration that site and setbacks are of adequate size to contain debris.
- (4) A definition of the area of service to be served by the antenna or tower and whether such antenna or tower is needed for coverage or capacity.
- (5) Information demonstrating that the proposed facility would provide the needed coverage or capacity.
- (6) Identification of the geographic service area for the subject installation, including a map showing the site and the nearest or associated telecommunications facility sites within the network; a description of the distance between the telecommunications facility sites; a description of how this service area fits into and is necessary for the service network.
- (7) The applicant shall quantify any additional tower capacity anticipated, including the approximate number and types of antennas. The applicant shall provide a drawing for each tower showing existing and proposed antenna locations. The applicant shall also describe any limitations on the ability of the tower to

accommodate other users, e.g., radio frequency interference, mass height, frequency or other characteristics. The applicant shall describe the technical options available to overcome those limitations and reasons why the technical options considered were not chosen to be incorporated.

- F. A statement indicating whether or not the site is a preferred location site must be submitted. If the site is not a preferred location site, the following information must be provided:
 - (1) A list of publicly used buildings, co-location sites or other preferred location sites located within the geographic service area. Provide a list (by address with lot and block number noted) and a map at 1:200 scale of all such buildings or sites within the service area.
 - (2) A description of the good faith efforts and measures that were taken to secure each of these preferred location sites.
 - (3) An explanation as to why each such site was not technologically, legally or economically feasible and why such efforts were unsuccessful.
 - (4) An explanation of how and why the proposed site is essential to meet service demands for the geographic service area and Township-wide network.
 - G. If the proposed site is zoned A Agricultural, R-1 Residential District, R-2 Residential District or R-3 Residential District, and there are alternative sites in the business and/or industrial zoning districts of the Township, applicants must justify why those alternate sites have not been proposed.
 - H. Applicants must identify all existing towers and all towers for which there are applications currently on file with the Zoning Officer for existing and proposed telecommunications facilities. Applicants must provide evidence of the lack of space on all suitable existing towers to co-locate the proposed antenna. If co-location on any such towers would result in less visual impact than the visual impact of the proposed tower, the applicant must justify why such co-location is not being proposed.
 - I. In all zoning districts, applicants must demonstrate that they cannot provide personal wireless communication service without the use of the proposed telecommunications tower.
5. Design standards.
- A. Security. All telecommunications facilities shall be equipped with an appropriate anti-climbing device or other similar protective device to prevent unauthorized access to the telecommunications facility. Telecommunication towers shall be enclosed by decay-resistant security fencing not less than six (6) feet in height and shall be equipped with an appropriate anti-climbing device or other similar protective device designed to prevent tower access.
 - B. Lighting. Antenna towers shall not be artificially lighted unless required by the FAA or other state or federal agency. If the FAA requires safety lighting, the use of red beacons is preferred to flashing strobe lights. Security lighting on the site may be

- mounted up to twenty (20) feet high and shall be directed towards the ground to reduce light pollution, prevent off-site light spillage, and avoid illuminating the tower. When incorporated into the approved design of the facility, light fixtures used to illuminate sports fields, parking lots, or similar areas may be included in the facility.
- C. Visual impact. Telecommunications facilities shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA or other applicable federal or state agency, be painted a neutral color or painted and/or textured to match the existing structure so as to reduce visual obtrusiveness.
 - D. All telecommunications facilities shall provide one off-street parking space and mud-free access to the site. The access drive and parking area must be covered with an all-weather material such as stone, asphalt, concrete or cement.
 - E. Any equipment shelter or cabinet that supports telecommunications facilities shall be screened from public view or made compatible with the architecture of the surrounding structures or placed underground so as to be visually unobtrusive. Equipment shelters or cabinets shall be screened from public view by using landscaping or shall be made of materials and painted colors consistent with the surrounding backdrop. The shelter or cabinet must be regularly maintained. The shelter or cabinet shall comply with the requirements of Article XXI, Accessory Uses.
 - F. Landscaping.
 - (1) Native vegetation on the site shall be preserved to the greatest possible extent. Disturbance of the existing topography shall be minimized, unless such disturbance would result in less visual impact of the site to the surrounding area. The applicant shall provide a site plan showing existing significant vegetation to be removed, and vegetation to be replanted to replace that loss.
 - (2) Landscaping shall be used to effectively screen the view of the shelter or cabinet or other ground-level equipment from adjacent public ways, public property and residential property. The applicant shall provide a detailed site plan showing the proposed landscape screening.
 - G. Minimum lot area. The lot on which the telecommunications facility is to be located on must meet all minimum lot area requirements for uses permitted by right in the underlying zoning district in which the facility is proposed.
 - H. Setbacks. Telecommunications facilities shall be setback a distance equal to the height of the tower from all property lines. Towers, guy wires and accessory facilities shall meet the minimum zoning district setback requirements.
 - I. No advertising is permitted on telecommunications facilities.
 - J. Antennas attached to existing structures.
 - (1) For antennas attached to the roof or to a support structure on a rooftop, a 1:1 setback ratio (example: ten (10) foot-high antenna and supporting structure requires a ten (10) foot setback from edge of roof or structures) shall be maintained, unless an alternative placement is shown to reduce visual impact.

- (2) Telecommunications facilities may exceed the height limitation specified for the zoning district in which the existing structure is located; however, no antenna shall extend a distance greater than ten (10) feet above the roofline, parapet or top of the structure, whichever is of the lowest elevation.
- (3) If an antenna is installed on a structure other than a tower, the antenna and associated 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.
- (4) Roof-mounted antennas shall be made visually unobtrusive by screening to match existing air-conditioning units, stairs, elevator towers or other background.
- (5) Where feasible, telecommunications facilities should be placed directly above or incorporated with vertical design elements of a building to help in camouflaging.

6. Co-location.

- A. The applicant and owner shall allow other future personal wireless service companies, including public and quasi-public agencies, using functionally equivalent personal wireless technology to co-locate antennas, equipment and facilities on a telecommunications facility, unless specific technical constraints prohibit said co-location. The applicant and other personal wireless carriers shall provide a mechanism for the construction and maintenance of shared facilities and infrastructure.
- B. Competitive conflict shall not be considered an adequate reason to preclude co-location.
- C. Addition of equipment for co-location of additional users on existing antenna towers and sites is not subject to the special exception or conditional use process, if the tower height remains unchanged.

7. Removal of antennas and towers.

- A. All telecommunications facilities shall be maintained in compliance with Township standards contained in the applicable building and technical codes so as to ensure the structural integrity of such facilities. If, upon inspection by the Zoning Officer or any code official, any such telecommunications facility is determined not to comply with the code standards or to constitute a danger to persons or property, then notice of such lack of compliance shall be provided to the owner of the facility and, if the owner of the property is different from the owner of the facility, to the owner of the property. Such owner shall then have thirty (30) days to bring the facility into compliance or to remove such facility.
- B. Failure to bring such telecommunications facility into compliance or to have it removed within thirty (30) days of receipt of such notice shall constitute a violation of this ordinance and of all other applicable Township codes and regulations adopted

pursuant thereto and of the First Class Township Code and the Pennsylvania Municipalities Planning Code.

8. Abandoned towers.
 - A. The owner of a telecommunications facility and the owner of the property where the facility is located shall remove any abandoned telecommunications facility within thirty (30) days of abandonment. Any telecommunications facility that is not operated for a continuous period of twelve (12) months shall be considered abandoned. If the telecommunications facility is not removed within thirty (30) days of abandonment, the Township may notify the property owner and the owner of the telecommunications facility to remove the telecommunications facility within thirty (30) days of receipt of such notice. Failure to remove the telecommunications facility pursuant to such notice shall constitute a violation of this ordinance and all other applicable Township ordinances and regulations issued pursuant thereto and of the First Class Township Code and the Pennsylvania Municipalities Planning Code.
 - B. If the owner of an abandoned tower or antenna wishes to use such abandoned tower or antenna, the owner first must apply for and receive all applicable permits and meet all of the conditions of this ordinance as if such tower or antenna was a new tower or antenna.

Township of Manheim

Requirements for Telecommunications Facilities

Table 1: Permitted Telecommunications Facilities

LEGEND:

Zoning districts – The abbreviation in the column headings represent the zoning districts of Manheim Township as follows:

- A – Agriculture
- R-1 – Residential District
- R-2 – Residential District
- R-3 – Residential District
- IN – Institutional District
- B-1 – Business District
- B-2 – Business District
- B-3 – Business District
- B-4 – Business District
- I-1 – Industrial District
- I-2 – Industrial District
- I-3 – Industrial District

Other – The other abbreviations within the table are as follows:

- R – Facility is a use permitted by right.
- SE – Facility is a use permitted by special exception.
- C – Facility is a use permitted by condition.
- N – Facility is not permitted
- NA – Application is not applicable.

Kind of Facility	Zoning Districts											
	A	R-1	R-2	R-3	IN	B-1	B-2	B-3	B-4	I-1	I-2	I-3
Telecommunications tower	SE	N	N	N	R	SE	SE	R	R	R	R	R
Telecommunications tower, attached	R	C	C	C	R	R	R	R	R	R	R	R

Table 2: Permitted Telecommunications Facility Requirements

LEGEND:

Zoning districts – The abbreviation in the column headings represent the zoning districts of Manheim Township as follows:

- A – Agriculture
- R-1 – Residential District
- R-2 – Residential District
- R-3 – Residential District
- IN – Institutional District
- B-1 – Business District
- B-2 – Business District
- B-3 – Business District
- B-4 – Business District
- I-1 – Industrial District
- I-2 – Industrial District
- I-3 – Industrial District

Other – The other abbreviations within the table are as follows:
 NA – application is not applicable.

	Zoning District											
	A	R-1	R-2	R-3	IN	B-1	B-2	B-3	B-4	I-1	I-2	I-3
Telecommunications Tower												
Maximum height: one user (feet)	85	NS	NA	NA	85	85	85	85	85	105	105	105
Maximum height: two users (feet)	85	NA	NA	NA	85	105	105	105	105	125	125	125
Maximum height: three users (feet)	85	NA	NA	NA	85	105	105	105	105	145	145	145

SECTION 2517. TEMPORARY RETAIL SALES

Temporary retail sales uses shall comply with the following requirements:

1. There may be five (5) temporary retail sales events per year per lot.
2. Only one (1) temporary retail sales event may take place on a lot at any given time.
3. Temporary retail sales events must obtain a temporary sales permit. The permit will be valid for a maximum of ten (10) consecutive days, whether or not the temporary sales event is held on consecutive days.
4. No more than ten (10) percent of the required parking area for the existing uses on the lot may be used for temporary retail sales.
5. Temporary retail sales areas shall have a maximum sales area of eight hundred (800) square feet, with a maximum width of twenty (20) feet and a maximum depth of forty (40) feet.
6. Temporary retail sales hours of operation will be limited to the hours of operation of the principal use on the lot.
7. Temporary retail sales areas are limited to designated parking areas on the lot.
8. Temporary retail sales shall not disrupt the daily operations of the principal business located on the lot.
9. No temporary retail sales shall be located within any designated clear sight triangle.
10. No temporary retail sales shall adversely impact the health, safety, and welfare of the Township.
11. Any signage shall comply with Article XVIII, Sign Regulations. No signage may be displayed until a temporary retail sales permit is obtained.
12. All temporary retail sales shall comply with the applicable building, fire, and electrical codes of the Township.

SECTION 2518. HOLIDAY TREE SALES

Holiday tree sales uses shall comply with the following requirements:

1. There shall be one (1) holiday tree sales event per year per lot.
2. Only one (1) holiday tree sales event may take place on a lot at any given time.
3. Holiday tree sales events must obtain a temporary sales permit. The permit will be valid between the dates of November 15 and December 26.
4. All holiday trees, temporary structures, signage, and accessories to the holiday tree sale must be removed from the property by December 27.
5. No more than ten (10) percent of the required parking area for the existing uses on the lot may be used for the holiday tree sales area.

6. Holiday tree sales hours of operation will be limited to the hours of operation of the principal use on the lot.
7. Holiday tree sales areas are limited to designated parking areas on the lot.
8. Holiday tree sales shall not disrupt the daily operations of the principal business located on the lot.
9. No holiday tree sales shall be located within any designated clear sight triangle.
10. No holiday tree sales shall adversely impact the health, safety, and welfare of the Township.
11. Any signage shall comply with the provisions of Article XVIII. No signage may be displayed until a temporary retail sales permit is obtained.
12. All holiday tree sales shall comply with applicable building, fire, and electrical codes of the Township.

SECTION 2519. THEATER CHURCHES

Within the I-1 and I-3 Industrial Districts in which a theater church is permitted by special exception, a theater church shall comply with the following standards and criteria in addition to such other reasonable conditions and safeguards as the Zoning Hearing Board may deem necessary to implement the purposes of the Municipalities Planning Code and this ordinance:

1. The theater church shall be clearly incidental and secondary to the primary use of the property as an existing movie theater.
2. The theater church shall be conducted entirely within the existing movie theater.
3. The theater church shall be limited to a maximum of twenty (20) percent of the floor area of an existing movie theater.
4. The movie theater shall not be used as a theater church for more than fifteen (15) hours per week.
5. Plans identifying the location of the proposed theater church within the movie theater and such other plans and information which establish the means of ingress and egress and compliance with all applicable fire and safety codes for the theater church shall be submitted to and approved by the Township Department of Code Compliance.
6. The hours of operation for the theater church shall not conflict with the normal operating hours and movie schedule of the movie theater.
7. The parking associated with the theater church shall not conflict with or create a shortfall of the parking required for the movie theater.
8. The use of the theater church shall be limited to religious and/or spiritual worship.
9. Any signs for the theater church shall comply with Article XVIII, Signs, of this ordinance.
10. The theater church shall not generate waste projects or materials of a quality or quantity not normally associated with the movie theater.

11. The theater church shall not increase water consumption or sewage discharge so that either is more than the amount generated by the movie theater.
12. The appearance of the movie theater shall not be altered in a manner which would cause the premises to differ from its principal use and character as a movie theater.

SECTION 2520. COMMUNITY CLUBS

Within the I-3 Industrial District in which a community club is permitted in an existing movie theater by special exception, a community club shall comply with the following standards and criteria in addition to such other reasonable conditions and safeguards the Zoning Hearing Board may deem necessary to implement the purposes of the Municipalities Planning Code and this ordinance:

1. The community club shall be clearly incidental and secondary to the principal use of the property as an existing movie theater.
2. The community club shall be conducted entirely within the movie theater.
3. The community club shall be limited to a maximum of twenty (20) percent of the floor area of an existing movie theater.
4. The community club shall not be used as a community club for more than fifteen (15) hours per week.
5. Plans identifying the location of the proposed community club within the movie theater and such other plans and information which establish the means of ingress and egress and compliance with all applicable fire and safety codes for the community club shall be submitted to and approved by the Township Department of Code Compliance.
6. The hours of operation for the community club shall not conflict with the normal operating hours and movie schedule of the movie theater.
7. The parking associated with the community club will not conflict with or create a shortfall of the parking required for the movie theater.
8. Any signs for the community club shall comply with Article XVIII, Signs, of this ordinance.
9. The community club shall not generate waste products or materials of a quality or quantity not normally associated with the movie theater.
10. The community club shall not increase water consumption or sewage discharge so that either is more than the amount generated by the movie theater.
11. The appearance of the movie theater shall not be altered in a manner which would cause the premises to differ from its principal use and character as a movie theater.

SECTION 2521. AGRICULTURAL COMPOSTING ACTIVITIES

All agricultural composting activities shall comply with the following:

1. Lot size and setbacks. The following lot size and setbacks shall apply:

- A. Minimum lot size on which any agricultural composting facility may be located shall be at least fifty (50) acres and the composting operation area being limited to five (5) acres. The fifty (50) acres must be contiguous and must be held in common ownership or by entities owned or controlled by predominantly the same persons.
- B. Unless the regulations or established guidelines of the PADEP or other agency having jurisdiction over the operation require a greater setback, all locations where incoming materials and/or finished compost are stored, composted, or otherwise handled or processed shall not be located:
 - (1) Within the one-hundred (100) year floodplain.
 - (2) In or within three hundred (300) feet of an exceptional value wetland.
 - (3) In or within one hundred (100) feet of a wetland other than an exceptional value wetland.
 - (4) Within one hundred (100) feet of any sinkhole, area draining into a sinkhole, closed depressions or disappearing streams; within fifty (50) feet from any lineaments or fracture traces; or within twenty-five (25) feet from surface or identified subsurface pinnacles.
 - (5) Within three hundred (300) feet from an existing occupied dwelling.
 - (6) Within fifty (50) feet of the boundary of any property not owned by the owner of the property containing the agricultural composting facility.
 - (7) Within five hundred (500) feet of a boundary of any nonagricultural zoning district.
 - (8) Within one thousand (1,000) feet of a school or Township Park, playground, houses of worship, child-care facility, community center, community facility, library, recreation area, or recreation center, whether such use is a principal or accessory use.
- 2. Other wastes. Wastes that cannot be composted or are removed from the compost prior to its use as a soil component or similar uses must be stored and disposed of in accordance with the regulations and guidelines of the PADEP or Township code or any other state or federal agency regulations having jurisdiction over the storage or disposal of these other wastes.
- 3. Operations of agricultural composting facility.
 - A. Permitting. Prior to the start of operations of the agricultural composting facility, the facility shall have a general or individual permit from the PADEP. A copy of this permit must be given to the Township thirty (30) days prior to the commencement of composting operations. Any changes to the permit must be supplied to the Township within thirty (30) days after such a change is made.
 - B. The owner of the property must comply with all federal and state regulations, including all permit conditions, applicable to the operation of the agricultural composting facility.

- C. All stormwater that comes into contact with any of the compost or the composting pad shall be contained on the site and may not be discharged into the waters of the commonwealth. The agricultural composting facility must comply with all applicable stormwater management requirements of the Township.
- D. The operator of the agricultural composting facility shall not permit odors, noise, or other public nuisances greater than those found in normal farming operations. The operator of the facility, prior to the commencement of composting activities, must present a plan to the Township that describes how the facility will discourage the attraction, harborage or breeding of vectors.
- E. Storage. Storage of active or finished compost must be in a manner that prevents the dispersal of waste or compost by wind or runoff and minimizes the risk of fire or explosion. Compost may not be stored in a manner that causes groundwater or surface water contamination. The storage of finished compost must be under roof.
- F. The operator of the agricultural composting facility shall comply with all of the emergency response and notification provisions provided by PADEP regulations or guidelines, or any other federal or state agency having jurisdiction over the operation.
- G. Other ordinances. The owner of the property containing the agricultural composting facility shall comply with all other applicable ordinances and requirements of the Township, including without limitation this ordinance, the Subdivision and Land Development Ordinance, the Stormwater Management Ordinance, Chapter 265, Floodplain Management, and building codes of the Township, as well as all other ordinances or regulations.
- H. Recordkeeping. The operator of the agricultural composting facility shall maintain records detailing the source of compost material in the sale or transfer of finished compost from the facility. These records must be kept for five (5) years and shall be made available to the Township upon request.
- I. Employees. The agricultural composting facility may have no more than six (6) employees who are not residents of the farm present at the property at any time. This limit shall exclude employees or contractors necessary for the intermittent construction or repair of structures or other items required by the agricultural composting operation.
- J. Screening. The agricultural composting facility shall be screened as required by Section 2512. All outside storage, parking or display of products, equipment or supplies shall be screened by a landscape screen or other visual barrier approved by the Township.
- K. Signs. All signs for the agricultural composting facility shall comply with requirements of Article XVIII, Sign Regulations.
- L. Off-street parking. The agricultural composting facility shall provide one off-street parking space for each employee present. The agricultural composting facility shall provide adequate parking or other spaces so that trucks accessing the facility may pull completely on the lot before loading or unloading materials.

- M. Direct sales to residents. Direct sales of finished compost to individuals is prohibited. Nothing in this section shall prohibit the delivery of compost from the agricultural composting facility to any property.
4. Traffic.
- A. An agricultural composting facility must have direct access to a collector or arterial street.
 - B. The access drive to the agricultural composting facility must be paved with asphalt, gravel or a similar material. The access drive must be maintained to minimize dust and to prevent or minimize the tracking of mud or materials off site.
 - C. A gate or other barrier must be maintained across the access road to block unauthorized access to the agricultural composting facility.
 - D. The applicant shall provide an analysis of any impacts on traffic caused by the agricultural composting facility. The area of the analysis and the method used to show traffic impacts shall be as approved by the Township. The traffic analysis shall include any proposed improvements to roads within the approved analysis area. The Township may, but shall not be required to, in its reasonable discretion, require the traffic analysis to be performed by a qualified traffic engineer, as may be required on account of the project trip levels caused by the agricultural composting operation or the existing traffic conditions in the analysis area.
 - E. Access drives. The access drive shall be designed in accordance with Township regulations and/or PennDOT standards if it intersects with a state highway. The applicant must demonstrate that the proposed driveway access to the agricultural composting facility is sufficient to accommodate the vehicles that will enter and exit the facility.
5. The owner of the property shall be responsible for any and all violations of this ordinance, as well as violations of state and federal laws and regulations to the extent permitted by those regulations.

SECTION 2522. WIND ENERGY SYSTEMS

1. Purpose. It is the purpose of this section to promote the safe, effective and efficient use of wind energy and to reduce the on-site consumption of utility supplied energy as an accessory use while protecting the health, safety and welfare of adjacent and surrounding land uses through appropriate zoning and land use controls. Wind energy systems shall be permitted in the agricultural zoning district as an accessory use by conditional use with the general standards as set forth in Section 2810.3 herein and with specific criteria as set forth in this section. This section is intended to accomplish the following:
- A. To provide for appropriate locations and development of wind energy systems in Manheim Township.
 - B. To protect Manheim Township's natural environment by promoting wind energy systems and reducing the use of fossil fuels.

- C. To minimize adverse nuisance and visual impacts of wind energy systems through careful design and siting techniques.
 - D. To avoid potential damage to adjacent properties through engineering and careful siting for wind energy systems.
 - E. To encourage and promote the location of wind energy systems in areas not immediately adjacent or adversely effecting residential uses.
2. Modifications.
- A. The Board of Commissioners may, by conditional use approval, permit the modification of the provisions of this section, including but not limited to provisions related to the number of turbines and associated appurtenances per lot, the height of the system and the minimum yard dimensions in order to encourage the use of wind energy systems. An applicant desiring to obtain conditional use approval shall, when making application for conditional use under this section, also make application for modifications simultaneously. However, granting of a modification shall not have the effect of making null and void the intent and purpose of the article. Any conditional use to permit a modification of the requirements of this section shall be subject to the following standards:
 - (1) The design and improvement shall be in harmony with the purpose and intent of this section.
 - (2) The design and improvement shall not have an adverse impact on the surrounding neighbors.
 - (3) The proposed modification shall not result in any danger to the public health, safety or welfare.
 - (4) The landowner shall demonstrate that the proposed modification will allow equal or better results and represents the minimum modification necessary.
 - (5) The applicant must demonstrate to the satisfaction of the Board of Commissioners that, with respect to each request for a modification, literal compliance with the provisions of this ordinance is unreasonable; causes undue hardship because of unique or unusual conditions pertaining to the subject property but meets the purpose and intent of this ordinance; and is unnecessary because an alternate standard can be demonstrated to provide equal or better results.
 - B. If the Board of Commissioners determines that the landowner has met his burden, it may grant a modification of the requirements of this section. In granting modifications, the Board of Commissioners may impose such conditions as will, in its judgment; secure the objectives and purposes of this section.
3. General standards. Where said general standards and specific criteria overlap, the specific criteria shall supersede the general standards. The installation and construction of a wind energy system shall be subject to the following development and design standards:
- A. A wind energy system is permitted in the Agricultural District as an accessory use by

conditional use.

- B. A wind energy system shall provide power for the principal use and/or accessory uses of the property on which the wind energy system is located and shall not be used for the generation of power for the sale of energy to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company.
- C. A wind energy system connected to the utility grid shall provide written authorization from the local utility company acknowledging and approving such connection.
- D. The maximum number of towers in a wind energy system is one per lot.
- E. The maximum wind energy system height is eighty-five (85) feet. The height shall be measured from the ground surface of the wind energy system tower to the highest point of the extended blade tip or the highest point of the wind energy system. The permitted height limits are also subject to applicable Federal Aviation Administration regulations regarding objects affecting navigable airspace. The applicant shall provide acknowledgement from the Federal Aviation Administration or from a representative from the Lancaster Airport Authority authorized to acknowledge such request indicating that the height of the wind energy system does not adversely affect the airspace of the airport.
- F. Setbacks from the wind energy system shall be as follows:
 - (1) Setback from property line. The minimum wind energy system setback distance from the nearest property line shall be a distance equal to or greater than the distance from the wind energy system tower base to the tip of the blade or the highest point of the wind energy system.
 - (2) Setback from residential dwellings.
 - [a] The minimum wind energy system setback distance from any residential dwelling, excluding the dwelling situated on the property where the wind energy system will be located, shall be five hundred (500) feet from the property line and one thousand (1,000) feet from the residential dwelling. The distance shall be measured from the nearest point of the extended tip of the blade or nearest point of the wind energy system to the residential dwelling.
 - [b] Upon written notice and approval from the adjacent property owner, a less restrictive setback may be accepted by the Board of Commissioners. Any such written acknowledgement shall include a protection zone extending and covering the area a distance equal to the height of the wind energy system such that no building may be constructed within this protection zone.
 - (3) The minimum wind energy system setback distance from all aboveground utility lines, radio, television or telecommunication towers shall be a distance equal to or greater than the distance from the wind energy system tower base to the tip of the blade or the nearest point from the wind energy system to the

aboveground utility lines, radio, television or telecommunication towers.

- (4) The minimum distance from guy wires, accessory structure, and other appurtenances of the wind energy system shall be ten (10) feet from the property lines.
- (5) Wind energy systems shall not be located within the required front yard setback.
- G. The distance between the ground and any part of the rotor or blade system shall be no less than fifteen (15) feet.
- H. Wind energy systems shall be equipped with an appropriate anti-climbing device or other similar protective device to prevent unauthorized access to the wind energy system. Such anti-climbing device shall be installed to a minimum height of fifteen (15) feet from the ground or roof if the wind energy system is situated on the roof. Access doors to wind energy systems and electrical equipment shall be locked to prevent entry by nonauthorized persons.
- I. All power transmission lines from the wind energy system to any building or other structure shall be located underground. There shall be no exposed wiring.
- J. Wind energy systems shall be a neutral nonobtrusive color such as white, off-white, gray, brown or an earth tone shade unless required by the Federal Aviation Administration or other regulatory agency to be otherwise.
- K. Audible sound from a wind energy system shall not exceed sixty (60) decibels, as measured at the exterior of any occupied building on the adjacent parcels.
- L. All wind energy systems shall be designed with an automatic brake to prevent over speeding and excessive pressure on the wind energy system tower structure.
- M. Wind energy systems shall not be artificially lighted unless required by the Federal Aviation Administration or other applicable regulatory authority. If the Federal Aviation Administration requires safety lighting, the use of red beacons is preferred to flashing strobe lights. Illumination of the wind energy system shall be avoided.
- N. Wind energy systems shall not be used to display advertising, including signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners or similar materials. The manufacturer's or installer's identification and any appropriate warning signs and placards may be displayed on the wind energy system, provided they comply with the prevailing sign regulations.
- O. Mechanical equipment associated with the use of the wind energy system shall comply with the following:
 - (1) Any mechanical equipment associated with and necessary for the operation of the wind energy system that is not enclosed within the wind energy tower or within an accessory structure on the property shall comply with the following:
 - [a] Mechanical equipment shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of shrubbery, trees, or other plant materials which provide a visual

screen. In lieu of a planting screen, a decorative fence meeting the requirements of this ordinance may be used.

[b] Mechanical equipment shall not be located within the minimum front yard setback of the underlying zoning district.

[c] Mechanical equipment shall be set back at least ten (10) feet from the rear and side property lines.

P. A site plan including the following information shall be included:

- (1) Overall site boundary with sufficient information to show the location of the property in proximity to adjacent properties and existing features located within five hundred (500) feet of the subject property boundaries.
- (2) Identification of adjacent property owners.
- (3) Location, dimensions, and types of existing structures on the property and proximity to structures on adjacent lots within five hundred (500) feet of the subject wind energy system.
- (4) Location and dimension of driveways, roadways and significant features within and adjacent to the subject property within five hundred (500) feet of the subject property boundaries.
- (5) Location of the proposed wind energy system, foundations, guy anchors and associated equipment.
- (6) Setback requirements as outlined in this ordinance and proposed setbacks.
- (7) The location of any rights-of-way, easements, floodplains, or other covenants restricting the use of the property.
- (8) The location of any overhead utility lines, radio transmission lines, cable lines or other overhead lines within five hundred (500) feet of the subject property boundaries.
- (9) The location of any telecommunications towers within one thousand (1,000) feet of the subject property.
- (10) Wind energy system specifications, including manufacturer, model, rotor diameter, tower height, and tower type.

Q. A report from a qualified engineer, licensed in the Commonwealth of Pennsylvania, documenting the following shall be submitted for review:

- (1) Description of the wind energy system, including overview, project location, the rated capacity for the on-site user, type and height of facility, including generating capacity, dimensions and respective manufacturers and a description of the ancillary facilities. Description should include technical, engineering, economic, and other pertinent factors governing selection of the proposed design.

- (2) Evidence of structural integrity of each tower structure.
 - (3) Structural failure characteristics of each tower structure and demonstration that the site and setbacks are of adequate size to contain debris.
 - (4) Information demonstrating that the proposed wind energy system is for the sole purpose of generating energy for the user of the property, with the exception of the excess energy that may be generated from time to time and sold to the local utility company.
 - (5) Identification of the nearest wind energy system, telecommunications tower and residential homes.
 - (6) The applicant shall describe the technical options available and reasons why the technical option selected was chosen over the other options.
 - (7) Provide make, model, picture and manufacturer's specifications.
- R. Visual impact: demonstrations, including before and after photo simulations and elevation drawings showing the height, design, color, night lighting and proposed location of the facility as viewed from neighboring areas. The applicant shall demonstrate through project site planning and proposed mitigation that the wind energy system's visual impacts will be minimized for surrounding neighbors and the community. This may include, but is not limited to, information regarding site selection, turbine design or appearance, buffering and screening of mechanical equipment.
- (1) Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of the wind energy system.
- S. Other relevant studies, reports, certifications and approvals as may be reasonably requested by the Township to ensure compliance with this ordinance.
- T. Evidence that the applicant is the owner of the premises involved or that the applicant, if he is a tenant of the property, has written permission of the owner to make such application.
- U. Permitting. A wind energy system shall not be constructed until a building permit has been approved and issued.
- (1) The design of the wind energy system shall conform to applicable industry standards. A building permit shall be obtained for wind energy systems per the Pennsylvania Uniform Construction Code (UCC). All wiring shall comply with the applicable version of the National Electric Code (NEC). The local utility provider (PPL) shall be contacted to determine grid interconnection and net metering policies. The applicant shall submit certificates of design compliance obtained by the equipment manufacturers from a certifying organization, and any such design shall be certified by an engineer registered in the Commonwealth of Pennsylvania.
 - (2) The wind energy systems shall comply with all applicable Township ordinances and codes.

- V. Maintenance. All wind energy systems shall be maintained in compliance with Township standards contained in the applicable codes and ordinances so as to ensure the structural integrity of such facilities. If, upon inspection by the Zoning Officer or any code official, any such facility is determined not to comply with the applicable codes and ordinances or to constitute a danger to persons or property, then notice of such lack of compliance shall be provided to the owner of the property. Failure to bring such facility into compliance shall constitute a violation of this ordinance.
 - (1) Before any construction can commence on any wind energy systems, the property owner must acknowledge that he/she is the responsible party for owning and maintaining the wind energy system. If the wind energy system is abandoned or is in a state of disrepair, it shall be the responsibility of the property owner to remove or maintain the wind energy system.
 - (2) Any earth disturbance as a result of the removal of the ground-mounted wind energy system shall be graded and reseeded.

SECTION 2523. SOLAR ENERGY SYSTEMS

- 1. Solar energy systems as an accessory use. It is the purpose of this section to promote the safe, effective and efficient use of solar energy systems installed to reduce the on-site consumption of utility supplied energy and/or hot water as an accessory use while protecting health, safety and welfare of adjacent and surrounding land uses through appropriate zoning and land use controls. A solar energy system shall be permitted in any zoning district as an accessory use, and specific criteria is set forth below:
 - A. A solar energy system is permitted in all zoning districts as an accessory use.
 - B. A solar energy system shall provide power for the principal use and/or accessory use of the property on which the solar energy system is located and shall not be used for the generation of power for the sale of energy to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company.
 - C. A solar energy system connected to the utility grid shall provide written authorization from the local utility company acknowledging and approving such connection.
 - D. To the greatest extent feasible, accessory solar energy systems shall be roof-mounted or located on an existing impervious surface. The applicant must demonstrate that roof mounting is infeasible prior to any application for a ground-mounted system.
 - E. A roof-mounted system may be mounted on a principal building or accessory building. A roof-mounted system, whether mounted on the principal building or accessory building, may not exceed the maximum building height or accessory building height specified for the building type in the underlying zoning district. In no instance shall any part of the solar energy system extend beyond the edge of the roof.
 - F. A roof-mounted system shall be setback from the edge of the building roof in order to establish a clear perimeter area. Access pathways shall also be provided between solar panels if applicable. The clear perimeter area and access pathways shall be reviewed by the Manheim Township Fire Chief and the Township Code Compliance

Department to ensure adequate accessibility for emergency service personnel.

- G. A ground-mounted system shall not exceed ten (10) feet.
 - H. The surface area of a ground-mounted system, regardless of the mounted angle, shall be calculated as part of the overall lot coverage. Of the allowable lot coverage, the surface area of a ground-mounted system shall not constitute more than two (2) percent of the allowable lot coverage or 360 square feet, whichever is less.
 - I. A ground-mounted system or system attached to an accessory building shall not be located within the required front yard setback.
 - J. The minimum solar energy system setback distance from the property lines shall be equivalent to the building setback or accessory building setback requirement of the underlying zoning district.
 - K. The number of solar panels and supporting equipment shall be considered as one solar energy system.
 - L. All mechanical equipment associated with and necessary for the operation of the solar energy system shall comply with the following:
 - (1) Mechanical equipment shall be screened from adjacent property. The screen shall consist of shrubbery, trees, or other plant materials which provide a visual screen.
 - (2) Mechanical equipment shall not be located within the minimum front yard setback of the underlying zoning district.
 - (3) Mechanical equipment shall be set back at least ten (10) feet from the rear and side property lines.
 - M. Solar panels shall not be placed in the vicinity of the airport in a manner that would interfere with airport flight patterns. Acknowledgement from the Federal Aviation Administration may be necessary.
 - N. All power transmission lines from a ground-mounted solar energy system to any building or other structure shall be located underground.
 - O. Before any construction can commence on any solar energy system, the property owner must acknowledge that he/she is the responsible party for owning and maintaining the solar energy system. If the solar energy system is abandoned or is in a state of disrepair, it shall be the responsibility of the property owner to remove or maintain the solar energy system.
 - P. All solar energy systems shall meet the general requirements in Section 2523.2 below.
2. General requirements.
- A. Solar panels shall be located in a manner that will prevent glare toward adjacent properties, occupied structures, and roadways.

- B. The design of the solar energy system shall conform to applicable industry standards. A building permit shall be obtained for a solar energy system per the Pennsylvania Uniform Construction Code (UCC). All wiring shall comply with the applicable version of the National Electric Code (NEC). As applicable, the applicant shall submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories (UL), Institute of Electronics and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), ETL Testing Laboratories, Florida Solar Energy Center (FSEC), or other similar certifying organization.
- C. Where applicable, the local utility provider (i.e. PPL) shall be contacted to determine grid interconnection and net metering policies. The applicant shall submit certificates of design compliance obtained by the equipment manufacturers from a certifying organization, and any such design shall be certified by an engineer registered in the Commonwealth of Pennsylvania.
- D. The solar energy system shall comply with all applicable Township ordinances and codes so as to ensure the structural integrity of such solar energy system.
- E. Decommissioning of solar energy system. The applicant shall sign an agreement stating that when all reasonable uses of the panels are no longer necessary, they will be promptly removed at the applicant's expense. The agreement shall be written in language acceptable to the Township Solicitor and shall, at the request of the Township, include a bond for estimated expenses of removal. Decommissioning shall include removal of all systems, equipment, buildings, cabling, electrical components, foundations, and other associated facilities and equipment.
- F. A solar energy system shall not be used to display advertising, including signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners or similar materials. The manufacturer's or installer's identification and any appropriate warning signs and placards may be displayed on the solar energy system, provided they comply with the prevailing sign regulations.
- G. A solar energy system shall not be constructed until a building permit has been approved and issued.
- H. No signage or advertising shall be permitted on any part of the accessory solar energy system.

SECTION 2524. GEOTHERMAL ENERGY SYSTEMS

Geothermal heat pumps are permitted in all zoning districts as an accessory use under the following conditions:

- 1. Open-loop systems shall not be permitted.
- 2. The design and installation of geothermal energy systems shall conform to applicable industry standards, including those of the International Ground Source Heat Pump Association (IGSHPA) standards, as amended, and found in Appendix 1 of the PA DEP Ground Source Heat Pump Manual of 2001, or the most current manual.

3. Manufacturer specifications shall be submitted as part of any building or zoning application.
4. All systems shall be set back a minimum of twenty-five (25) feet from any property line or right-of-way line and a minimum of one hundred (100) feet from any potable water supply wells.
5. Circulating fluids used in any closed-loop system shall use only nontoxic, biodegradable fluids such as food-grade propylene glycol.

SECTION 2525. DWELLING UNITS IN COMBINATION WITH OFFICES OR COMMERCIAL USES

1. No dwelling unit shall be located on a floor below an office or commercial use.
2. Dwelling units shall have a separate entrance from the principal commercial uses.
3. A minimum of one hundred fifty (150) square feet of open space or balcony area shall be provided per unit.
4. Parking spaces for dwelling units shall be provided at a rate of one and one-half (1.5) spaces per unit and clearly demarcated.

SECTION 2526. OUTDOOR DINING

Restaurant uses shall be permitted to operate outdoor cafes on sidewalks, including areas within the public right-of-way, and in courtyards, provided pedestrian circulation or access to store entrances shall not be impaired. The following standards and guidelines are applicable:

1. To allow for pedestrian circulation, a minimum of five (5) feet of sidewalk along the curb and leading to the entrance to the establishment shall be maintained free of tables or other encumbrances.
2. Planters, posts with ropes or other removable fencing with a maximum height of forty-two (42) inches shall be used as a way of defining the area occupied by the cafe.
3. Extended awnings, canopies or large umbrellas shall be permitted and located to provide shade. Colors shall complement building colors.
4. Outdoor cafes shall be required to provide additional decorative outdoor trash receptacles.
5. Tables, chairs, planters, trash receptacles and other elements of street furniture shall be compatible with the architectural character of the building where the establishment is located.
6. Outdoor cafes shall not be entitled to additional signage over and beyond what is permitted for this type of establishment.
7. The operators of outdoor cafes shall be responsible for maintaining a clean, litter-free and well-kept appearance within the area of their activities.

SECTION 2527. SIDEWALK DISPLAYS

Commercial uses shall be permitted to have sidewalk displays of retail merchandise that is regularly sold at their establishments, subject to the following:

1. Sidewalk displays are permitted directly in front of an establishment, subject to the following: a minimum of five (5) feet of clearance is maintained at the storefront entrance, or wider if needed for adequate and uncluttered pedestrian access; the displays are located along the building wall and not more than two (2) feet deep; and the display area does not exceed fifty (50) of the length of the storefront.
2. Displays shall be permitted only during normal business hours, shall consist of merchandise regularly sold by the establishment, and shall be removed at the end of the business day. Cardboard boxes shall not be used for sidewalk displays.
3. Sidewalk displays shall maintain a clean, litter-free and well-kept appearance at all times and shall be compatible with the colors and character of the storefront from which the business operates.

SECTION 2528. CLUSTER DEVELOPMENT

Any development approved and constructed under the cluster development provisions of the prior Ordinance shall continue to be governed by those provisions. Such development may be permitted to expand, so long as such expansion is in accordance with the prior cluster development provisions.

SECTION 2529. SOLID WASTE MANAGEMENT SERVICES AND FACILITIES

Solid Waste Management Services and Facilities shall comply with the following requirements:

1. Operations of a solid waste management facility shall at all times be in full compliance with the statutes of the Commonwealth of Pennsylvania, the rules and regulations of the Pennsylvania Department of Environmental Protection and the provisions of this ordinance. In the event that any of the provisions of this Ordinance are less restrictive than any present or future rules or regulations of the Pennsylvania Department of Environmental Protection, the more restrictive regulations shall supersede and control.
2. Litter control shall be exercised to confine blowing litter to the solid waste management facility site and a working plan for cleanup of litter shall be submitted to the Township.
3. The entire waste transfer process, which includes unloading, compaction and loading onto transfer trucks shall occur inside a building. Unloading of materials shall be continuously supervised by a facility operator.
4. The principal access to the solid waste management facility site shall be from a collector or arterial road, as designated in Appendix I of the Manheim Township Subdivision and Land Development Ordinance and Section 2209 of this ordinance.
5. Access to any outdoor area used for solid waste management services shall be limited to those posted times when an attendant is on duty, provided, however, that this limitation

shall not apply to CNG service stations that operate twenty-four hours per day, seven days per week and are accessed only via electronic means. In order to protect against indiscriminate and unauthorized dumping, any outdoor area used for solid waste management services shall be protected by locked barricades, fences, gates or other means designated to deny access to the area at unauthorized times or locations

6. If a solid waste management facility includes CNG service stations, sufficient stacking lanes shall be provided so that vehicles waiting to refuel do not back up onto public roads.
7. Depending on the route of entry to the solid waste management facility and the adequacy and carrying capacity of the roadways along such route of entry, the Township may require that a traffic study be performed to determine the number of trucks traversing that area of the Township and issues related to safety through populated areas. The Township also may require the posting of a bond for road maintenance for heavily traveled routes associated with the solid waste management service.

SECTION 2530. CONVERSION OF LARGE NONRESIDENTIAL BUILDING

1. Purpose - It is the purpose of this section to provide for the creative redevelopment or reuse of large nonresidential buildings within the R-2 Residential Zoning District by permitting a variety of commercial, restaurant, entertainment, and office uses by special exception. Large nonresidential buildings in this district often house (d) community oriented uses permitted under the Zoning Ordinance. However, due to changes in the community, ownership and the fashion in which community services are provided, there is a risk that these large buildings will become underutilized or unusable if zoning regulations applicable to such buildings in an R-2 Residential Zoning District are applied to their use. This section is intended to provide economically viable uses for such existing buildings in excess of 10,000 square feet of net floor area but no larger than 45,000 square feet of net floor area and within the R-2 Residential Zoning District.
2. Conversion - The conversion of a large nonresidential building shall be permitted within the R-2 Residential District by special exception in accordance with the standards set forth below.
3. Uses Permitted by Special Exception - Subject to the requirements set forth in Subsection 2530.4, one or more of the following uses may be established with a Conversion of a Large Nonresidential Building:
 - A. For lots with primary vehicular access to and from any road defined as a collector roadway as specified in Appendix I of the Manheim Township Subdivision and Land Development Ordinance:
 - (1) Professional Offices.
 - (2) Medical and/or dental offices.
 - B. For Lots with primary vehicular access to and from an arterial road, limited access highway or major collector road as identified in Section 2209 of this ordinance:

- (1) Professional Offices.
 - (2) Medical and/or dental offices.
 - (3) Conference/Event Centers including separate restaurant, café and/or commercial recreation facility component(s) that is (are) secondary to the Conference/Event Center.
 - (4) Veterinary Offices.
4. Specific Conditions.
- A. Professional Offices, Medical/Dental Offices and Veterinary Offices: Hours of operation shall be permitted between the hours of 7:00 am and 10:00 pm.
 - B. Conference/Event Center.
 - (1) Outdoor events shall not be held before 7:00 am or after 10.00 pm.
 - (2) Alcohol sales and service shall be permitted pursuant to applicable laws and as an accessory use to the Conference/Event Center.
 - (3) Restaurants and Cafes as a separate secondary use to the Conference/Event Center shall be permitted, subject to the following restrictions:
 - [a] Drive through or Drive in service shall not be permitted.
 - [b] Seating area for restaurant shall not exceed 5,000 square feet.
 - [c] Outdoor dining shall comply with Section 2526.
 - [d] Restaurant or café shall be permitted to sell/serve alcohol pursuant to applicable laws as an accessory use.
 - [e] Restaurant or café may have hours of operation independent from Conference/Event Center but the restaurant or café may only be open to the public between 7:00 am to 10:00 pm each day.
 - (4) Commercial Recreational Facilities.
 - [a] Outdoor operations shall be restricted to the hours between 7:00 am and 10:00 pm.
 - [b] Outdoor operations shall not interfere with the peaceful enjoyment of neighboring properties
 - C. Off-street parking for any uses shall be in accordance with Article XX. Parking.
 - D. Parking areas and access drives shall be adequately lit and all lighting shall include full cut off fixtures and shall not direct light onto adjacent properties.

- E. Refuse collection areas, if provided, shall be conveniently located for all uses. The collection area shall be properly screened from view from all property lines and the trash receptacles shall be covered.
5. Permissible Expansion of Existing Building and Parking.
- A. Buildings with vehicular access from a collector roadway:
 - (1) No extension or expansion shall be permitted to the existing building, except as may be required for access or safety which includes handicapped accessibility. Extension or expansion to increase building capacity shall not be permissible.
 - (2) Existing open space to the greatest extent possible shall be left in its existing condition or improved so as to be appropriate in size, shape, dimension, location, and character to assure its proper functioning as an amenity for both the site and the surrounding area.
 - B. Buildings with vehicular access from an arterial legislative route: up to 25% increase in the building footprint subject to the requirements set forth in Subsection 806.2.G. and other applicable Township ordinances.
 - C. Parking Lots may be expanded subject to the requirements set forth in the applicable Township ordinances.
6. Signs - Signs shall be governed by Article XVIII of this ordinance, provided applicant shall be permitted to maintain, repair or re-erect the existing signage. Notwithstanding the foregoing sentence, the applicant shall not be required to remove or decrease the square footage of any legally existing sign(s) as the result of a conversion.
7. Access to the Site - There shall be adequate, safe access to the site for pedestrians and vehicles.
8. Utilities - The site shall be served by public sanitary sewer and public water.
9. Sidewalks and Streetscapes.
- A. Sidewalk shall be provided along all street frontages, or alternatively, a connection to or extension of a Township pathway system shall be provided.
 - B. Sidewalks shall be a minimum of five (5) feet in width and shall be designed and constructed in accordance with the Manheim Township Subdivision and Land Development Ordinance.
 - C. Connection to or extension of a Township pathway system shall be designed and constructed in accordance with the Manheim Township Subdivision and Land Development Ordinance.

- D. Handicap ramps and crosswalks shall be provided at all street and access drive crossings.
- E. All pedestrian amenities shall meet ADA guidelines.
- F. Streetscapes shall be provided and/or improved as required by the applicable Appendices of this ordinance.

ARTICLE XXVI. TRANSFER OF DEVELOPMENT RIGHTS (TDR) (Amended by Ordinance 2021-04, dated June 28, 2021)

SECTION 2601. PURPOSE

Within the Township, there are certain areas that, because of their unique natural, agricultural, cultural, and scenic resources, make them worthy of special protection. The purpose of this article is to assist in permanently protecting this vital natural resource: farmlands and prime agricultural soils. In accordance with Sections 603(c)(2.2), 605(4), and 619.1 of the Municipalities Planning Code, a transferable development rights program is established in the Township, and the Township designates the Agricultural District as the sending area, and all other residential and nonresidential districts located within the designated growth area, including properties developed under planned residential development regulations, as the receiving areas. The purpose of the transfer of development rights program is to preserve the prime agricultural soils and agricultural character of the lands in the Agricultural District by shifting development from that area to the receiving areas of the Township.

SECTION 2602. CONCEPT

1. The transfer of development rights is a voluntary agreement under the terms of this ordinance between a willing buyer and a willing seller. The rights shall be transferred to a person, corporation, partnership or other legal entity or the Township. The development rights may be held by the purchaser for future use or sale or may be immediately attached to a specific parcel of land within the Township. The development rights shall be considered a separate estate in land and may be transferred subject to the limitations of this ordinance. Once the development rights are attached to a specific parcel of land, those rights shall run with that specific parcel in perpetuity.
2. A purchaser of development rights who attaches those rights to a tract of land in accordance with the procedures set forth in this ordinance is permitted to develop a tract within the receiving area with an increase in density, building height, building length, or lot coverage in accordance with the terms specified in Section 2606 herein. The seller of the development rights receives compensation from the sale, plus the right to retain the land for agricultural use. A deed restriction against future development is placed upon the agricultural land in the designated sending area from which the development rights have been severed. The price of the development rights will be determined by the willing buyer and willing seller. To facilitate the transfer between willing buyer and willing seller, the Township maintains a list of available transferable development rights and interested parties.
3. The deed restriction will not affect the landowner's ability to sell the land after the development rights have been severed, although such land cannot be sold for development purposes. The deed restriction on the land from which the development rights have been severed shall run in favor of the Township or an approved conservation organization.
4. The owner of the tract in the sending area from which the development rights are severed or any subsequent purchaser or purchasers of the development rights may hold the development rights or may resell the development rights. The only use which may be made

of the development rights is the ultimate transfer to a developer with a tract in the receiving area. The Township shall have no obligation to purchase the development rights which have been severed from a tract in the sending area.

SECTION 2603. RECOGNITION OF TRANSFERABLE DEVELOPMENT RIGHTS

1. The Township hereby recognizes the severability and transferability of development rights from certain lands within the Township, to be transferred and used in accordance with the provisions hereof.
2. The Township, in accordance with the criteria set forth in Section 2604, Apportionment of development rights, shall determine the eligibility of each tract of land within the Agricultural District for allocation of transferable development rights. The Township has no obligation, however, to determine the specific number of such rights apportioned to each tract, nor to give any formal notice to the landowner other than by the passage of this ordinance, until such time as an application to utilize transferable development rights is made in accordance with Section 2604, Apportionment of development rights, and Section 2605, Transfer and use of transferable development rights, of this ordinance.
3. The Township reserves the right to amend this ordinance in the future, and the Township expressly reserves the right to change the manner in which the number of development rights shall be apportioned to a tract in the sending area, the manner in which development rights may be attached to land within the receiving area, the locations of the sending area and the receiving areas and the procedure by which development rights can be conveyed. The Township further expressly reserves the right to terminate its transferable development rights program at any time. No owner of land or owner of development rights shall have any claim against the Township for damages resulting from a change in this ordinance relating to the regulations governing the apportionment, transfer and use of development rights or the abolition of the transferable development rights program. If the transferable development rights program is abolished by the Township, no developer may attach development rights to any tract in the receiving area after the effective date of this ordinance abolishing the transferable development rights program unless an application in conformity with the provisions of Section 2607 herein was filed prior to the effective date of such ordinance.

SECTION 2604. APPORTIONMENT OF DEVELOPMENT RIGHTS

1. Development rights shall be apportioned to tracts of land within the designated sending area of the Township based on the following criteria:
 - A. The tract of land shall be located within the Agricultural District.
 - B. The tract of land shall not be less than ten (10) acres in size.
 - C. Tracts of land or portions thereof owned by or subject to easements (including, but not limited to, easements of roads, railroads, electrical transmission lines, and water, gas or petroleum pipelines) in favor of governmental agencies, utilities, and nonprofit corporations shall not be eligible for transferable development rights.
 - D. Land restricted against development by covenant, easement or deed restriction shall not be eligible for transferable development rights unless and until such time as said

covenant, restriction or easement is dissolved or rescinded. In the event said covenant, restriction or easement is dissolved or rescinded, such land shall be eligible for issuance of transferable development rights.

- E. Land utilized for uses other than agriculture shall not be eligible for transferable development rights.
 - F. The portion of the parcel which will not be restricted shall be usable under the use, area, dimensional, performance and other standards of this ordinance.
2. The number of transferable development rights apportioned to an eligible tract shall be established by multiplying the number of acres qualifying, as defined by the above criteria, by 0.73, and subtracting therefrom the number of dwelling units then existing on the eligible tract. When the computation to determine the number of development rights apportioned results in a fractional number, any fraction shall be equal to one (1) development right.
 3. The owner of any tract of land eligible for development rights shall not be restricted from developing said tract in accordance with Article VI, Agricultural District A, of this ordinance. In the event of a residential subdivision, residential land development, farm dwelling conversion or creation of an accessory dwelling unit of any such tract eligible for development rights, the number of development rights apportioned shall be reduced by the number of residential lots and/or units subdivided or developed. One (1) transferable development right is required for any subdivision of land with the exception defined in Section 602.3.L., for the construction of a single family detached dwelling, conversion of a farm house into a two-unit dwelling or the creation of an accessory dwelling unit. The net area associated with one (1) transferable development right is the reciprocal of 0.73, defined in Section 2604.2., or 1.369 acres.
 4. The determination of the precise number of development rights which shall be apportioned to a tract in the sending area shall be computed in accordance with the procedures set forth in Section 2604 through Section 2607 if the development rights shall be transferred to a developer who shall immediately attach them to land within the receiving area. If the development rights shall be held by the owner of the sending tract after they are severed or shall be transferred in gross to the Township or another person, the procedure to be followed shall be that set forth in Section 2605 and Section 2607.1 through 6.

SECTION 2605. TRANSFER AND USE OF TRANSFERABLE DEVELOPMENT RIGHTS

1. Transferable development rights which have been apportioned shall be conveyed and severed by a deed of transferable development rights duly recorded in the office of the Lancaster County Recorder of Deeds. The deed of transferable development rights shall specify the tract of land within the receiving district to which the rights shall be permanently attached or that the rights shall be transferred to Manheim Township, retained by the owner of the sending tract, or another person in gross. The deed of transferable development rights which severs the development rights from the sending tract shall be accompanied by a declaration of restriction of development, which shall permanently restrict development of the sending tract and which shall be recorded in the office of the Recorder of Deeds at the same time as or prior to the deed of transferable development

rights. All deeds of transferable development rights shall be endorsed by the Township prior to recording.

2. Transferable development rights which have been apportioned shall only be permitted to attach to tracts of land to be developed in accordance with the provisions of Section 2606 or to be transferred to the Township in accordance with Section 2608.

SECTION 2606. USE OF TRANSFERABLE DEVELOPMENT RIGHTS IN RECEIVING AREAS

1. Residential receiving areas. Transferable development rights severed from sending area tracts in the Agricultural District may be transferred and received to increase density for development on tracts in the R-1, R-2, and R-3 Residential Districts, as specified within the applicable zoning district or T-Zone Overlays, and in accordance with the following:

A. Density increases.

- (1) The maximum development capacity for residential development when the developer acquires additional development rights in accordance with the provisions of this ordinance shall be as follows:

Residential District	Maximum DU/Acre
R-1 District	
Conventional development	2.2
Conventional development with TDRs	2.9
PRD	2.9
R-2 District	
Conventional development	2.9
Conventional development with TDRs	4.3
Conventional development within the T-5 Neffsville Village Overlay	4.3
PRD	7.0
R-3 District	
Conventional development within the T-5 Neffsville Village Overlay	5.0
PRD and development within the T-5 Oregon Village Overlay Master Site Plan, as specified.	6-10

- (2) For each additional dwelling unit or portion thereof in excess of the number permitted by the base density of the underlying Residential District R-1, R-2, or

R-3, the developer shall acquire one (1) development right in accordance with this ordinance.

- (3) If the proposed development is to be constructed in phases, no phase shall be developed at a density which, when combined with the density or densities of all the previous phases, will result in a density greater than the gross density of the entire development.
 - B. Building height increases. For each apartment dwelling unit or portion thereof above a height of thirty-five (35) feet in the Residential District R-3 developed under the conventional development provisions, the developer shall acquire one (1) development right in accordance with this ordinance.
 - C. Building height increases. For each apartment dwelling unit or portion thereof above the height of forty (40) feet in the Residential District R-3 developed under the Planned Residential Development provisions, the developer shall acquire one (1) development right in accordance with this ordinance.
2. Nonresidential receiving areas. Transferable development rights severed from sending area tracts in the Agricultural District may be transferred and received on tracts located within the T-4, T-5, T-6, D-R, D-A, or D-C Overlays, as specified within the applicable T-Zone Overlays, and in accordance with the following:
- A. Building height increases.
 - (1) Building height increases shall be permitted in accordance with the T-4, T-5, T-6, D-R, D-C, and D-A T-Zone Overlays.
 - (2) For each three thousand (3,000) square feet of nonresidential space or portion thereof, and/or each apartment dwelling unit or portion thereof above the permitted base height, the developer shall acquire one (1) transferable development right in accordance with this ordinance.
 - B. Building length increases.
 - (1) Building length increases shall be permitted in accordance with the T-4, T-6, D-R, D-C, and D-A T-Zone Overlays.
 - (2) For every five thousand (5,000) square feet or portion thereof located beyond the permitted building length, the developer shall acquire one (1) transferable development right in accordance with this ordinance.
 - C. Master site planned development (T-5 Oregon Village Overlay). For every three (3) gross acres included within a master site planned development, one (1) transferable development right shall be acquired.

SECTION 2607. PLAN SUBMITTAL AND REVIEW PROCESS

1. A sketch plan prepared in accordance with the Subdivision and Land Development Ordinance, and the underlying zoning district regulations shall be submitted to the Township to determine the base permitted density, building height, building length, or lot coverage of the property to be developed.

2. A request to utilize transferable development rights on a property shall be in the form of a preliminary subdivision plan of the proposed development using the transferable development rights prepared in accordance with the Subdivision and Land Development Ordinance. The preliminary plan submitted shall indicate the base density, building height, building length, or lot coverage of the property, the proposed increase in the applicable area and bulk regulations of the development, the number of additional development rights transferred or to be transferred to the property, and whether the tract to be developed is located within an overlay district.
3. In addition to the preliminary subdivision plan, an application shall include the following:
 - A. Application for apportionment and transfer of development rights on the form provided by the Township for such application. Such application shall be signed by both the transferor and the transferee. If the development rights which shall be used by the developer have previously been apportioned to and severed from the sending tract, a copy of the deed of transferable development rights which has been recorded in the office of the Recorder of Deeds indicating the number of development rights available and a title search demonstrating that such development rights are still held by such person and setting forth all liens placed against them shall be included.
 - B. An agreement of sale for the development rights between the owner of the tract to which development rights have been requested to be apportioned or the owner of development rights which have been previously severed from a tract in the sending area as evidenced by a recorded deed of transferable development rights and the owner of the tract proposed to be developed as a residential development. The agreement may be contingent upon conditional use approval or approval of a final subdivision or land development plan for residential development of the tract to which the development rights are to be transferred.
 - C. A metes and bounds description of the property of the owner of the land from which the rights will be transferred and a plot plan or survey thereof, showing total acreage of the selling owner's property, areas of land or portions thereof subject to easements in favor of governmental agencies, utilities, and nonprofit corporations, land restricted against development by covenant, easement or deed restriction, and land utilized for nonagricultural use. If the development rights have previously been apportioned to and severed from a tract in the sending area, a copy of the recorded deed of transferable development rights shall be submitted.
 - D. If the agreement of sale of development rights would entail less than an entire parcel, the portion of the parcel involved in the proposed sale of development rights shall meet the following criteria:
 - (1) The portion to be deed restricted shall contain at least fifty (50) percent prime agricultural soils;
 - (2) The acreage to be restricted shall be contiguous and be of a general, regular configuration approved by the Board of Commissioners; and
 - (3) The portion of the parcel which will not be restricted shall be usable under the use, area, dimensional, performance and other standards of this ordinance.

- E. If the agreement of sale of development rights would entail less than an entire parcel, the portion of the parcel from which the development rights are transferred shall be clearly identified on a plan of the entire parcel, drawn to scale, the accuracy of which shall be satisfactory to the Township. Such plan shall also include a notation of the number of development rights applicable to the entire parcel, the number of development rights applicable to the identified portion of the parcel from which the development rights are to be transferred, and the number of development rights which remain available to the remaining portion of the parcel.
 - F. If the agreement of sale of development rights would entail less than the entire number of development rights represented by a recorded deed of transferable development rights, the applicant shall indicate the disposition of the remaining development rights.
 - G. A copy of the proposed deed of transferable development rights and declaration of restriction of development.
 - H. A title search of the tract from which the transferable development rights will be transferred sufficient to determine all owners of the tract and all lienholders. If the development rights have previously been apportioned and severed from the tract in the sending area, a title search of the rights set forth in the deed of transferable development rights sufficient to determine all of the owners of the development rights and all lienholders shall be furnished to the Township.
4. The owner of a tract in the sending area from which the development rights are to be severed shall, by a declaration of restriction of development, totally and permanently restrict the future development of the tract or designated portion thereof from which the development rights are severed. The declaration of restriction of development shall be in a form approved by the Township Solicitor. If the development rights are to be severed from less than the entire parcel, the plan prepared in accordance with Subsection 3.E. above shall be attached to and recorded with the declaration of restriction of development. All owners of the tract from which development rights are severed shall execute the declaration of restriction of development. All lienholders of the tract from which development rights are severed shall execute a joinder and/or consent to the declaration of restriction of development.
- A. The said declaration of restriction of development shall designate the Township as a third-party beneficiary of the restrictions imposed on the land from which the development rights are severed, and said restrictions shall be enforceable by the Township as such third-party beneficiary. The Township shall hold the rights granted by the declaration of restriction of development as trustee for all of the residents of the Township, in recognition of the right of the people to the preservation of the natural, scenic, historic and aesthetic values of the Township and in further recognition of the fact that these resources are the common property of all of the residents of the Township, including generations yet to come.
 - B. Land from which development rights have been severed shall be permanently restricted against development, shall continue to be owned subject to said restrictions by the landowner, his heirs, executors, administrators, successors and assigns, and

may be continued to be used for agriculture and other uses specified in Article VI, Agricultural District A, of this ordinance.

5. The Zoning Officer shall determine the number of development rights which shall be permitted to be severed from the sending tract. The Zoning Officer shall also determine, with the advice of the Township Solicitor and/or the Township Engineer, the sufficiency of the plan indicating the portion of the sending tract restricted from future development if the development rights from less than the entire tract shall be transferred, the declaration of restriction of development and the deed of transferable development rights. The Zoning Officer shall inform the owner or owners of the land from which the development rights will be severed, and, if applicable, the developer, of his determination in writing. Any appeals from the determination of the Zoning Officer shall be filed in accordance with the provisions of the Municipalities Planning Code.
6. Upon receipt of a determination by the Zoning Officer, the owner or owners of the land from which the development rights will be severed, and, if applicable, the developer or other entity who will purchase the development rights, may present the Township with the deed of transferable development rights for endorsement as required by Municipalities Planning Code Section 619.1(c). No deed of transferable development rights shall be so endorsed until the Township is presented with evidence that the declaration of restriction of development has been approved by the Township and has been recorded with the Lancaster County Recorder of Deeds. In lieu of presentation of proof of recording the declaration of restriction of development, the fully executed declaration may be presented to the Township when the deed of transferable development rights is presented for endorsement, and the Township, at the applicant's expense, shall record both documents.
7. If the development rights shall be immediately attached to a tract in the receiving area, no deed of transferable development rights shall be recorded before preliminary plan approval for the development utilizing the development rights has been obtained. If the development rights are to be retained by the owner of the sending tract from which they have been severed or are to be transferred in gross, the deed of transferable development rights may be recorded at any time after the recording of the declaration of restriction of development.
8. No final plan for any subdivision or land development which utilizes transferable development rights shall be executed on behalf of the Township until the Township has been presented with a copy of the recorded deed of transferable development rights and the recorded declaration of restriction of development with the customary recording information of the office of Recorder of Deeds in and for Lancaster County clearly endorsed thereon. In lieu of presentation of proof of recording the declaration of restriction of development and the deed of transferable development rights, the fully executed declaration of restriction of development may be presented to the Township with the deed of transferable development rights for endorsement, and the Township, at the applicant's expense, shall record both documents and then shall execute and, if applicant so desires, at applicant's expense, shall record the final plan.

SECTION 2608. PUBLIC ACQUISITION

Manheim Township may purchase development rights and may accept ownership of development rights through transfer by gift. Any such purchase or gift shall be accompanied by a

declaration of restriction of development as specified in Section 2605, Transfer and use of transferable development rights. All such development rights may be resold or retired by the Township. If transferable development rights are not available under private sale, the Board of Commissioners may consider selling transferable development rights. Any such sale will be based on the average cost of the last three (3) private sales.

The Township may but shall not be required to, approve an alternate method for preserving farmland and prime agricultural soils, provided the applicant can demonstrate to the satisfaction of the Board of Commissioners that the alternative method will provide equal or better results in achieving the goal of preserving farmland and prime agricultural soils.

ARTICLE XXVII. ADMINISTRATION AND ENFORCEMENT

SECTION 2701. ZONING OFFICER

The provisions of this ordinance shall be administered and enforced by a Zoning Officer and any assistants or subordinates who shall be appointed by the Township. He may be provided with the assistance of such persons as the Township may direct. The compensation shall be determined by the Board of Commissioners upon the recommendation of the Township Manager-Secretary.

SECTION 2702. DUTIES AND RESPONSIBILITIES OF ZONING OFFICER

1. General. The Zoning Officer shall administer this ordinance in accordance with its legal terms and shall not have the power to permit any construction or any change of use which does not conform to this ordinance and to other applicable ordinances of the Township of Manheim and to the laws of the Commonwealth of Pennsylvania.
2. Application and permits. He shall receive applications and issue permits and/or certificates of use and occupancy for the erection, construction, alteration, repair, extension, replacement, relocation, conversion and/or use and occupancy of any building, structure, sign, or land in the Township.
3. Inspections. Before issuing any permit, the Zoning Officer may, at his discretion, examine or cause to be examined all buildings, structures, signs, or land and portions thereof for which an application has been filed for the erection, construction, alteration, repair, extension, replacement, relocation, conversion, and/or use. Thereafter, he may make such inspections during the completion of work for which a permit has been issued. Upon completion of such work and before issuing a certificate of use and occupancy, a final inspection shall be made and all violations of approved plans or permits shall be noted, and the holder of the permit shall be notified of the discrepancies.
4. Complaints regarding violations. The Zoning Officer may, and, when in receipt of a signed written complaint stating fully the cause and basis thereof, shall, investigate alleged violations of this ordinance. If a signed written complaint is received, said investigation shall be completed within thirty (30) days of said complaint. A written report of investigation of this ordinance shall be prepared and maintained on file, with copies provided to the Board of Commissioners and the Township Manager-Secretary.
5. Official records. It shall be the duty of the Zoning Officer to maintain and be responsible for all pertinent records on zoning matters in the Township. These records shall include, but not be limited to, all applications received, copies of all permits and certificates issued, copies of orders and findings of the Zoning Hearing Board, written complaints of alleged violations, records of all inspections made, a current copy of this ordinance and all amending ordinances, the official Zoning Map, and all other pertinent information. The records of his office shall be available for the use of the Township government and for inspection of any interested party during normal office hours. The Zoning Officer shall at least annually submit to the Board of Commissioners a written statement of all permits and certificates of use and occupancy issued and violations and stop-work orders recommended or promulgated.

6. Registration of nonconforming uses. The Zoning Officer shall identify and register nonconforming uses and nonconforming structures.

SECTION 2703. PERMITS

1. Requirements. Until a permit has been obtained from the Zoning Officer, it shall be unlawful to excavate; store material, machinery, or equipment on a lot in connection with the erection, construction, placement, reconstruction, alteration, repair, extension, replacement, restoration, or conversion of any structure, building, or sign; or change the use, area of use, percentage of use or open area or displace the use of any land, structure, building, sign, or portion thereof in the Township.
2. Form of application. The application for a permit shall be submitted in such form as the Zoning Officer may prescribe and shall be accompanied by the required fee as prescribed. Application for a permit shall be made by a landowner or developer. The full names and addresses of the landowner or developer and of the responsible officers, if the landowner or developer is a corporate body, shall be stated in the application.
3. Description of work. The application shall contain a general description of the proposed work and/or use and occupancy of all parts of the building, structure, or sign and such additional information as may be required by the Zoning Officer. The application for the permit shall be accompanied by a site plan of the proposed building structure or sign, drawn to scale, with sufficient clarity to show the nature and character of the work to be performed, including off-street parking and loading space if required, the location of new and existing construction, and the distances of the same from the existing lot lines and street right-of-way lines.
4. Time limit for application. An application for a permit for any proposed work shall be deemed to have been abandoned six (6) months after the date of filing, unless, during that six (6) month period, a permit shall have been issued, provided that reasonable extensions of time for additional periods not exceeding ninety (90) days each may be granted at the discretion of the Zoning Officer.
5. Issuance of permit. Upon receiving the application, the Zoning Officer shall examine the same within a reasonable time after filing. If the application or plans do not conform to the provisions of all pertinent laws, he shall reject such application in writing, stating the reasons therefor. He shall inform the applicant of his right of appeal to the Zoning Hearing Board in the event such application is rejected. If satisfied that the proposed work or use conforms to the provisions of this ordinance and all other pertinent laws and ordinances, and that the certificate of use and occupancy as required herein has been properly applied for, he shall issue a permit therefor as soon as practical.
6. Suspension of permit. The permit shall expire one (1) year from the date of issuance. Any permit issued shall become invalid if the authorized work is not commenced within six (6) months after issuance of the permit or if the authorized work is suspended or abandoned for a period of six (6) months after the time of commencing the work.
7. Revocation of permit. The Zoning Officer may revoke a permit or approval issued under the provisions of this ordinance in case of any false statement or misrepresentation of fact in the application or on the plans on which the permit or approval was based, or if it is

found that the work performed or the use to which the property is put is not in conformance with the application, approved plans, or provisions of all pertinent laws.

8. Posting of permit. A true copy of the permit shall be kept on the site of operations and open to inspection by the Zoning Officer during the entire time of prosecution of the work and until the completion of same as defined in the application.

SECTION 2704. CONDITIONS OF PERMIT

1. Payment of fees. No permit shall be issued until the fees required therefor prescribed by the Board of Commissioners pursuant to resolution shall be paid to the Township. The payment of fees under this section shall not relieve the applicant or holder of said permit from payment of other fees that may be required by this ordinance or by any other ordinances or laws.
2. Compliance with ordinance. The permit shall be a license to proceed with the work and should not be construed as authority to violate, cancel, or set aside any of the provisions of this ordinance.
3. Compliance with permit and site plan. All work or uses shall conform to the approved application and plans for which the permit has been issued, as well as the approved site plan.

SECTION 2705. CERTIFICATE OF USE AND OCCUPANCY

1. When required. It shall be unlawful to use or occupy any structure, building, land, or portion thereof until a certificate of use and occupancy has been issued by the Township. Such certificate shall not be issued unless the Township has inspected said structure, building, or land and has determined that all provisions of this ordinance and other pertinent ordinances and laws have been satisfied. The provisions of the Stormwater Management Ordinance, shall not be considered to be satisfied unless all stormwater management facilities serving the lot have been installed, inspected, and approved by the Township or financial security to guarantee the installation of such facilities have been posted with the Township.
2. Form of application. The application for a certificate of use and occupancy shall be in such form as the Township may prescribe and shall be made at the same time as the application for a permit is filed with the Zoning Officer.
3. Description of use and occupancy. The application shall contain a description of the intended use and occupancy of any structure, building, sign, or land or portion thereof for which a permit is required herein.
4. Action upon application. The Zoning Officer shall inspect or cause to be inspected any structure, building, sign, and/or land within 15 days after notification that the proposed work that was listed under the permit has been completed. If he is satisfied that the work is in conformity and in compliance with the work listed in the issued permit and all other pertinent laws, he shall issue a certificate of use and occupancy for the intended use listed in the approved application. If he finds that the work has not been performed in accordance with the approved application or that the prerequisite for the issuance of the Certificate of Use and Occupancy in Section 2705.1 have not been met, the Zoning Officer shall refuse to

issue the certificate of use and occupancy and shall, in writing, give the reasons therefor and inform the permit holder of his right of appeal to the Zoning Hearing Board.

5. Availability of certificate. The certificate of use and occupancy for conforming and nonconforming uses, or a true copy thereof, shall be kept available for inspection by the Zoning Officer at all times.
6. Temporary certificate of use and occupancy. Upon request of a holder of a permit, the Zoning Officer may issue a temporary certificate of use and occupancy for a structure, building, sign, or land or portion thereof before the entire work covered by the permit shall have been completed, provided that such portion or portions may be used or occupied safely prior to full completion of the work without endangering life or public welfare. The Zoning Officer may also issue a temporary certificate of use and occupancy for such temporary uses as tents, trailers, and buildings on construction sites; use of land for religious or other public or semipublic purposes; and similar temporary use or occupancy. Such temporary certificates shall be for a period of time to be determined by the Zoning Officer; however, in no case shall it be for a period exceeding six (6) months.

SECTION 2706. ENFORCEMENT; VIOLATIONS AND PENALTIES

1. General. It shall be the duty of the Zoning Officer to enforce this ordinance.
2. Violation. The construction, alteration, or use of any structure, building, sign, or land or the change of use, area of use, percentage of use or displacement of the use of any structure, building, sign, or land without first obtaining a permit; the use of any building, structure, sign, or land without receipt of a certificate of use and occupancy; the failure to obey and/or comply with any order, decree, or decision of either the Zoning Hearing Board, Zoning Officer, or Board of Commissioners; or the failure to comply with any other provisions of this ordinance are hereby declared to be violations of this ordinance.
3. Enforcement notice. If it appears that a violation of this ordinance or any prior ordinance still in effect has occurred, the Zoning Officer shall send a written enforcement notice to the owner of record of the premises on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding those premises, and to any other person who has been requested in writing by the owner of record to receive enforcement notices. No person so served shall abandon the premises in such a condition as to create a hazard or menace to the public safety, health, morals or welfare. Such person or persons shall be jointly and severally responsible for restoring the premises to such condition as the Zoning Officer may direct to avoid or abate such a hazard or menace. The enforcement notice shall contain the following:
 - A. The name of the owner of record and any other person against whom the Township intends to take action.
 - B. The location of the property in violation.
 - C. The specific violation or violations, with a description of the requirements which have not been met and with citations in each instance to the applicable provisions of this ordinance.
 - D. The date before which steps for compliance must be commenced and the date before

which such steps must be completed.

- E. Notice that the recipient has the right to appeal to the Manheim Township Zoning Hearing Board within thirty (30) days of receipt of the notice in accordance with the procedures set forth herein.
 - F. That failure to comply with the enforcement notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation of this ordinance and subjects the violator to the sanctions hereinafter described.
4. Enforcement remedies.
- A. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this ordinance or any prior ordinance still in effect shall, upon being found liable therefor in a civil enforcement proceeding commenced by Manheim Township or its duly designated representatives, pay a judgment of up to five hundred (500) dollars, plus all court costs, including reasonable attorneys' fees incurred by Manheim Township, as a result of seeking such enforcement.
 - B. Civil enforcement proceedings shall be commenced before any Magisterial District Judge. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the Magisterial District Judge.
 - C. Each day that a violation continues shall constitute a separate violation, unless the Magisterial District Judge determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this ordinance to have believed that there was no such violation. In such event, there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the Magisterial District Judge. Thereafter, each day that a violation continues shall constitute a separate violation.
 - D. If the defendant neither pays nor timely appeals the judgment, Manheim Township may enforce the judgment pursuant to the applicable rules of civil procedure. All judgments, costs and reasonable attorneys' fees collected for the violation of this ordinance shall be paid over to Manheim Township.
 - E. Nothing contained herein shall be construed or interpreted to grant any other person or entity other than Manheim Township the right to commence any action for enforcement pursuant to this section.
5. Abatement of violation.
- A. In case any building, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this ordinance or any prior ordinance still in effect, Manheim Township or its duly approved representatives or any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute in the name of Manheim Township any appropriate action or proceeding to prevent, restrain, correct, or abate such building, structure, landscaping or land or to prevent, in and about such

premises, any act, conduct, business or use constituting a violation.

- B. When any such action is instituted by a landlord, landowner or tenant, notice of that action shall be served upon Manheim Township at least thirty (30) days prior to the time the action is begun by serving a copy of the complaint on Manheim Township. No such action may be maintained until such notice has been given.

ARTICLE XXVIII. ZONING HEARING BOARD; ADMINISTRATIVE PROCEEDINGS

SECTION 2801. ESTABLISHMENT OF ZONING HEARING BOARD; MEMBERSHIP; TERMS; VACANCIES

There is hereby created a Zoning Hearing Board which shall, for the purpose of this ordinance, be referred to as the "Board." The membership of the Board shall consist of five (5) residents of the Township appointed by resolution of the Board of Commissioners. Members of the Board shall hold no other office in the Township. The terms of office of the Board members shall be five (5) years and shall be so fixed that the term of office of one (1) member of the Board shall expire each year. Appointments to fill vacancies shall be only for the unexpired portion of the term.

SECTION 2802. ORGANIZATION OF ZONING HEARING BOARD

The Board shall adopt such rules and regulations to govern its procedures as it may deem necessary. The Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. Meetings of the Board shall be at the call of the Chairman and at such other times as the Board may determine. The Chairman or, in his absence, the Acting Chairman may administer oaths and compel the attendance of witnesses. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all the members of the Board, but the Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf, and the parties may waive further action by the Board. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact. The Board shall keep full public records of its business, which shall be the property of the Township, and shall submit a report of its activities to the Board of Commissioners once a year.

SECTION 2803. HEARINGS

The Board shall conduct hearings and make decisions in accordance with the following requirements:

1. Public notice shall be given and written notice shall be given to the applicant, the Zoning Officer, and to any person who has made timely request for the same. Written notices shall be given at such time and in such manner as shall be prescribed by rules of the Board. In addition to the written notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least one (1) week prior to the hearing.
2. The hearing shall be held within sixty (60) days from the date of the applicant's request, unless the applicant has agreed in writing to an extension of time.
3. The hearings shall be conducted by the Board, or the Board may appoint any member as a hearing officer. The decision or, where no decision is called for, the findings shall be made by the Board; however, the appellant or the applicant, as the case may be, in addition to the Township, may, prior to the decision of the hearing, waive the decision or findings by the Board and accept the decision or findings of the hearing officer as final.

4. The parties to the hearing shall be the municipality, any person affected by the application who has made timely appearance of record before the Board, and any other person, including civic or community organizations, permitted to appear by the Board. The Board shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Board for that purpose.
5. The Chairman or Acting Chairman of the Board or the hearing officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.
6. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.
7. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.
8. The Board or hearing officer, as the case may be, shall record the proceedings stenographically; however, stenographic recording of the proceedings may be waived by written consent of all parties, in which case the proceedings shall be taken by a mechanical recording device. The appearance fee for a stenographer shall be shared equally by the applicant and the Board. The cost of the original transcript shall be paid by the Board if the transcript is ordered by the Board or hearing officer or shall be paid by the person appealing from the decision of the Board if such appeal is made, and, in either event, the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases, the party requesting the original transcript shall bear the cost thereof.
9. The Board or the hearing officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate, shall not take notice of any communication, reports, staff memoranda, or other materials, except advice from their Solicitor, unless the parties are afforded an opportunity to contest the material so noticed and shall not inspect the site or its surroundings with any party or his representative unless all parties are given an opportunity to be present.
10. The Board or the hearing officer, as the case may be, shall render a written decision or, when no decision is called for, make written findings on the application within forty-five (45) days after the last hearing before the Board or hearing officer. Each decision shall be accompanied by findings of fact and conclusions based thereon, together with the reasons therefore, when required by law. Conclusions based on any provisions of law or of any ordinance, rule, or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a hearing officer and there has been no stipulation that his decision or findings are final, the Board shall make his report and recommendations available to the parties within forty (45) days, and the parties shall be entitled to make written representations thereon to the Board prior to final decision or entry of findings, and the Board's decision shall be entered no later than thirty (30) days after the report of the hearing officer.

11. When the Board fails to render the decision within the period required by this section, or fails to hold the required hearing within sixty (60) days from the date of the applicant's request for a hearing, the decision shall be deemed to have been rendered in favor of the applicant, unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as herein provided, the Board shall give public notice of said decision within ten (10) days from the last day it could have met to render a decision in the same manner as provided in Section 2803.1. If the Board shall fail to provide such notice, the applicant may do so. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.
12. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him not later than five (5) days following its date. To all other persons who have filed their name and address with the Board not later than the last day of the hearing, the Board shall provide, by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

SECTION 2804. JURISDICTION OF ZONING HEARING BOARD

The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudications in the following matters:

1. Substantive challenges to the validity of any land use ordinance, except those brought before the Board of Commissioners pursuant to Sections 609.1 and 916.1(a)(2) of the Pennsylvania Municipalities Planning Code (Act 247, as amended).
2. Challenges to the validity of a land use ordinance raising procedural questions or alleged defects in the process of enactment or adoption, which challenges shall be raised by an appeal taken within thirty (30) days after the effective date of said ordinance.
3. Appeals from the determination of the Zoning Officer, including but not limited to the granting or denial of any permit, or failure to act on the application therefore, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure, or lot.
4. Appeals from a determination by the Township Engineer or the Zoning Officer with reference to the administration of any floodplain or flood hazard ordinance or such provisions within a land use ordinance.
5. Applications for variances from the terms of this ordinance and flood hazard ordinance or such provisions within a land use ordinance.
6. Applications for special exceptions under this ordinance or floodplain or flood hazard ordinance or such provisions within a land use ordinance.
7. Appeals from the determination of any officer or agency charged with the administration of any transfers of development rights or performance density provisions of this ordinance.
8. Appeals from the Zoning Officer's determination under Section 916.2 of Act 247, as

amended.

9. Appeals from the determination of the Zoning Officer or Township Engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and stormwater management insofar as the same relate to development not involving applications of Articles V or VII of Act 247, as amended.
10. Nothing contained herein shall be construed to give the Zoning Hearing Board jurisdiction to hear appeals from the decisions of the Board of Commissioners.

SECTION 2805. VARIANCES; SPECIAL EXCEPTIONS

1. Variances.

A. The Board shall hear requests for variances where it is alleged that the provisions of this ordinance inflict unnecessary hardship upon the applicant. The Board may by rule prescribe the form of application and may require preliminary application to the Zoning Officer. The Board may grant a variance, provided that all of the following findings are made where relevant in a given case:

- (1) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this ordinance in the neighborhood or district in which the property is located.
- (2) That, because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- (3) That such unnecessary hardship has not been created by the appellant.
- (4) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
- (5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

B. In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this ordinance. In rendering its decision, the Zoning Hearing Board shall consider the following.

2. Special exceptions.

A. Where the Township Commissioners, in this ordinance, have stated special exceptions to be granted or denied by the Zoning Hearing Board pursuant to expressed standards and criteria, the Board shall hear and decide requests for such

special exceptions in accordance with such standards and criteria.

B. The applicant shall have the burden of proving compliance with the following:

- (1) The suitability of the property for the use desired.
- (2) That the proposed use will not have a substantial adverse effect upon congestion of streets and highways or upon traffic levels of service or any hazards arising therefrom. The Board may require the applicant to submit a traffic study prepared by a qualified traffic engineer to satisfy this requirement.
- (3) That the proposed use will not have a substantial adverse effect on the availability of parking in the immediate area.
- (4) That the proposed use will not have a substantial adverse effect on existing or proposed public water, public sewer, public transportation, police and fire protection, public recreation, school facilities, and other public organizations and systems.
- (5) That the proposed use will not have a substantial adverse effect on the health and safety of the citizens of the Township when such use may present a danger from fire, explosion, electrocution, pollution, asphyxiation, or other similar dangers.
- (6) That the proposed use will not have a substantial adverse effect upon adjacent properties. Among any other effects on adjacent properties, proposed uses shall not injure or detract from the use or enjoyment or value of the adjacent properties.
- (7) The compatibility of the proposed use with the appearance and general character of the immediate vicinity.
- (8) The compatibility of the proposed use with the Township Comprehensive Plan.
- (9) The proposed use shall be in the best interest of the Township and for the convenience of the community and shall not adversely affect the general welfare of the community.

C. The Board shall impose such reasonable conditions as it deems necessary to effect the intent and purpose of this ordinance and to protect the health, safety, and welfare of the citizens of the Township, especially those citizens most directly affected by the proposed use. These conditions may include but are not limited to the following:

- (1) Any promises or representations by the applicant with respect to its use or development of the property involved.
- (2) Hours of operation.
- (3) Special or additional screening or buffering, including that for solid waste storage areas.
- (4) The design and location of buildings and other structures.

- (5) Restrictions on noise levels, lighting levels, odor, and other potentially noxious effects.
- (6) Restrictions on the distances of the proposed use from adjacent properties and between buildings and structures.
- (7) Restrictions on parking with respect to both number and location of vehicles or spaces.
- (8) Public safety.
- (9) Safeguarding of uses on adjacent properties.
- (10) Health and sanitation.
- (11) Hours for loading and unloading.
- (12) Traffic, street and highway improvements and controls.

SECTION 2806. PARTIES APPELLANT BEFORE BOARD

1. Appeals may be filed with the Board in writing by the landowner affected, any officer or agency of the Township, or any person aggrieved.
2. Requests for a variance and for special exception may be filed with the Board by any landowner or any tenant with the permission of such landowner.

SECTION 2807. TIME LIMITATIONS

1. No person shall be allowed to file any proceeding with the Board later than thirty (30) days after an application for development, preliminary or final, which is within the jurisdiction of the Board as set forth in Section 2804 hereof, has been approved by an appropriate Township officer, agency, or body if such proceeding is designed to secure reversal or to limit the approval in any manner, unless such person alleges and proves that he had no notice, knowledge, or reason to believe that such approval had been given. If such person has succeeded to his interest after such approval, he shall be bound by the knowledge of his predecessor in interest. The failure of anyone other than the landowner to appeal from an adverse decision on a tentative plan or from an adverse decision by the Zoning Officer on a challenge to the validity of this ordinance or the map shall preclude an appeal from a final approval, except in the case where the final submission substantially deviates from the approved tentative approval.
2. All appeals from determinations adverse to the landowners shall be filed by the landowner within thirty (30) days after notice of the determination is issued.

SECTION 2808. EFFECT OF BOARD'S DECISION

1. If the variance or special exception is granted or the issuance of a permit is finally approved, or other action by the appellant is authorized, the necessary permit shall be secured and the authorized action begun within one (1) year after the date when the variance or special exception is finally approved or the other action by the appellant is authorized, and the building or alteration, as the case may be, shall be completed within two (2) years of said date. For good cause, the Board may, upon application in writing

stating the reasons therefore, extend either the one (1) year or two (2) year period.

2. Should the appellant or applicant fail to obtain the necessary permits within said one (1) year period or, having obtained the permit, should he fail to commence work thereunder within such one (1) year period, it shall be conclusively presumed that the appellant or applicant has waived, withdrawn, or abandoned his appeal or his application, and all provisions, variances, and permits granted to him shall be deemed automatically rescinded by the Board.
3. Should the appellant or applicant commence construction or alteration within said one (1) year period but fail to complete such construction or alteration within said two (2) year period, the Board may, upon ten (10) days' notice in writing, rescind or revoke the granted variance or the issuance of the permit or permits or any other action authorized to the appellant or applicant, if the Board finds that no good cause appears for the failure to complete such construction or alteration within said two (2) year period and if the Board further finds that conditions have so altered or changed in the interval since the granting of the variance, permit, or action that revocation or recession of the action is justified.

SECTION 2809. STAY OF PROCEEDINGS

1. Upon filing of any proceeding and during its pendency before the Board, all land development pursuant to any challenged ordinance, order or approval of the Zoning Officer or of any agency or body, and all official action thereunder, shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Board facts indicating that such stay would cause imminent peril to life or property, in which case the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by the court having jurisdiction of zoning appeals, on petition, after notice to the Zoning Officer or other appropriate agency or body. When an application for development, preliminary or final, has been duly approved and proceedings designed to reverse or limit the approval are filed with the Board by persons other than the applicant, the applicant may petition the court having jurisdiction of zoning appeals to order such persons to post bond as a condition to continuing the proceedings before the Board.
2. After the petition is presented, the court shall hold a hearing to determine if the filing of the appeal is frivolous. At the hearing, evidence may be presented on the merits of the case. It shall be the burden of the applicant for a bond to prove the appeal is frivolous. After consideration of all evidence presented, if the court determines that the appeal is frivolous, it shall grant the petition for a bond. The right to petition the court to order the appellants to post bond may be waived by the appellee, but such waiver may be revoked by him if an appeal is taken from a final decision of the court.
3. The question whether or not such petition should be granted and the amount of the bond shall be within the sound discretion of the court. An order denying a petition for bond shall be interlocutory. An order directing the responding party to post a bond shall be interlocutory.
4. If an appeal is taken by a respondent to the petition for a bond from an order of the court dismissing a zoning appeal for refusal to post a bond and the appellate court sustains the

order of the court below to post a bond, the respondent to the petition for a bond, upon motion of the petitioner and after hearing in the court having jurisdiction of zoning appeals, shall be liable for all reasonable costs, expenses, and attorney fees incurred by the petitioner.

SECTION 2810. JURISDICTION OF BOARD OF COMMISSIONERS

The Board of Commissioners shall have exclusive jurisdiction to hear and render final adjudications in the following matters:

1. All applications for approvals of planned residential developments.
2. All applications for approval of subdivisions or land developments. Any provision in a subdivision and land development ordinance requiring that final action concerning subdivision and land development applications be taken by a planning agency rather than the Board of Commissioners shall vest exclusive jurisdiction in the planning agency in lieu of the Board of Commissioners for purposes of the provisions of this subsection.
3. Applications for conditional uses.
 - A. Where the Board of Commissioners has stated conditional uses to be granted or denied pursuant to expressed standards and criteria, the Board shall hold hearings on and decide requests for such conditional uses in accordance with such standards and criteria.
 - B. The applicant shall have the burden of proving compliance with the following:
 - (1) The suitability of the property for the use desired.
 - (2) That the proposed use will not have a substantial adverse effect upon congestion of streets and highways or upon traffic levels of service or any hazards arising therefrom. The Board may require the applicant to submit a traffic study prepared by a qualified traffic engineer to satisfy this requirement.
 - (3) That the proposed use will not have a substantial adverse effect on the availability of parking in the immediate area.
 - (4) That the proposed use will not have a substantial adverse effect on existing or proposed public water, public sewer, public transportation, police and fire protection, public recreation, school facilities, and other public organizations and systems.
 - (5) That the proposed use will not have a substantial adverse effect on the health and safety of the citizens of the Township when such use may present a danger from fire, explosion, electrocution, pollution, asphyxiation, or other similar dangers.
 - (6) That the proposed use will not have a substantial adverse effect upon adjacent properties. Among any other effects on adjacent properties, proposed uses shall not injure or detract from the use or enjoyment or value of the adjacent properties.

- (7) The compatibility of the proposed use with the appearance and general character of the immediate vicinity.
 - (8) The compatibility of the proposed use with the Township Comprehensive Plan.
 - (9) The proposed use shall be in the best interest of the Township and for the convenience of the community and shall not adversely affect the general welfare of the community.
- C. The Board shall impose such reasonable conditions as it deems necessary to effect the intent and purpose of this ordinance and to protect the health, safety and welfare of the citizens of the Township, especially those citizens most directly affected by the proposed use. These conditions may include but are not limited to the following:
- (1) Any promise or representations by the applicant with respect to its use or development of the property involved.
 - (2) Hours of operation.
 - (3) Special or additional screening or buffering, including solid waste storage areas.
 - (4) The design and location of buildings and other structures.
 - (5) Restrictions on noise levels, lighting levels, odor, and other potentially noxious effects.
 - (6) Restrictions on distances of the proposed use from adjacent properties and between buildings and other structures.
 - (7) Restrictions on parking with respect to both number and location of vehicles or spaces.
 - (8) Public safety.
 - (9) Safeguarding of uses on adjacent properties.
 - (10) Health and sanitation.
 - (11) Hours for loading and unloading.
 - (12) Traffic, street, and highway improvements and controls.
- 4. Applications for curative amendments to this ordinance.
 - 5. All petitions for amendments to land use ordinances. Any action on such petitions shall be deemed legislative acts, provided that nothing contained in this subsection shall be deemed to enlarge or diminish existing law with reference to appeals to court.
 - 6. Appeals from the determination of the Zoning Officer or the Township Engineer in the administration of any land use ordinance or provisions thereof with reference to sedimentation and erosion control and stormwater management insofar as the same relate to application for land development. Where the applicable land use ordinance vests jurisdiction for final administration of subdivision and land development applications in the planning agency, all appeals from determinations under this subsection shall be to the

planning agency and all appeals from the decision of the planning agency shall be to court.

SECTION 2811. CHALLENGES TO VALIDITY OF ORDINANCE

1. A landowner who, on substantive grounds, desires to challenge the validity of this ordinance or the map or any provision thereof which prohibits or restricts the use or development of land in which he has an interest shall submit the challenge either to the Zoning Hearing Board or to the Board of Commissioners, together with a request for a curative amendment.
2. Persons aggrieved by a use or development permitted on the land of another by this ordinance or the map, or any provision thereof, who desire to challenge its validity on substantive grounds shall first submit their challenge to the Zoning Hearing Board for a decision thereon.
3. The submissions referred to in Section 2811.1 and Section 2811.2 shall be governed by the following:
 - A. In challenges before the Zoning Hearing Board, the challenging party shall make a written request to the Board that it hold a hearing on its challenge. The request shall contain the reasons for the challenge. Where the landowner desires to challenge the validity of such ordinance and elects to proceed by curative amendment, his application to the Board of Commissioners shall contain, in addition to the requirements of the written request hereof, the plans and explanatory materials describing the use or development proposed by the landowner in lieu of the use or development permitted by the challenged ordinance or map. Such plans or other materials shall not be required to meet the standards prescribed for preliminary, tentative, or final approval or for the issuance of a permit, so long as they provide reasonable notice of the proposed use or development and a sufficient basis for evaluating the challenged ordinance or map in light thereof. Nothing herein contained shall preclude the landowner from first seeking a final approval before submitting his challenge.
 - B. If the submission is made by the landowner to the Board of Commissioners, the request also shall be accompanied by an amendment or amendments to this ordinance proposed by the landowner to cure the alleged defects therein.
 - C. If the submission is made to the Board of Commissioners, the Township Solicitor shall represent and advise it at the hearing or hearings.
 - D. The Board of Commissioners may retain an independent attorney to present the defense of the challenged ordinance or map on its behalf and to present witnesses on its behalf.
 - E. Based upon the testimony presented at the hearing or hearings, the Board of Commissioners or the Zoning Board, as the case may be, shall determine whether the challenged ordinance or map is defective, as alleged by the landowner. If a challenge heard by the Board of Commissioners is found to have merit, the Board of Commissioners shall proceed. If a challenge heard by a Zoning Hearing Board is found to have merit, the decision of the Zoning Hearing Board shall include

recommended amendments to the challenged ordinance which will cure the defects found. In reaching its decision, the Zoning Hearing Board shall consider the amendments, plans, and explanatory material submitted by the landowner and shall also consider the following:

- (1) The impact of the proposal upon roads, sewer facilities, water supplies, schools, and other public service facilities.
 - (2) If the proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of this ordinance or map.
 - (3) The suitability of the site for the intensity of use proposed by the site's soils, slopes, woodlands, wetlands, floodplains, aquifers, natural resources and other natural features.
 - (4) The impact of the proposed use on the site's soils, slopes, woodlands, wetlands, floodplains, natural resources, and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development, and any adverse environmental impacts.
 - (5) The impact of the proposal on the preservation of agriculture and other land uses which are essential to public health and welfare.
- F. The Board of Commissioners or the Zoning Hearing Board, as the case may be, shall render its decision within 45 days after the conclusion of the last hearing.
- G. If the Board of Commissioners or the Zoning Board, as the case may be, fails to act on the landowner's request within the time limits, a denial of the request is deemed to have occurred on the 46th day after the close of the last hearing.
4. The Zoning Hearing Board or Board of Commissioners, as the case may be, shall commence its hearings within sixty (60) days after the request is filed, unless the landowner requests or consents to an extension of time.
 5. Public notice of the hearing shall include notice that the validity of this ordinance or map is in question and shall give the place where and the times when a copy of the request, including any plans, explanatory material, or proposed amendments, may be examined by the public.
 6. The challenge shall be deemed denied when one of the following occurs:
 - A. The Zoning Hearing Board or Board of Commissioners, as the case may be, fails to commence the hearing within the time limits set forth.
 - B. The Board of Commissioners notifies the landowner that it will not adopt the curative amendment.
 - C. The Board of Commissioners adopts another curative amendment which is unacceptable to the landowner.

- D. The Zoning Hearing Board or Board of Commissioners, as the case may be, fails to act on the request forty (45) days after the close of the last hearing on the request, unless the time is extended by mutual consent by the landowner and municipality.
7. Where a curative amendment proposal is approved by the grant of a curative amendment application by the Board of Commissioners or a validity challenge is sustained by the Zoning Hearing Board or the court acts finally on appeal from denial of a curative amendment proposal or a validity challenge, and the proposal or challenge so approved requires a further application for subdivision or land development, the developer shall have two years from the date of such approval to file an application for preliminary or tentative approval. Within the two (2) year period, no subsequent change or amendment in the zoning, subdivision, or other governing ordinance or plan shall be applied in any manner which adversely affects the rights of the applicant as granted in the curative amendment or the sustained validity challenge. Where the proposal appended to the curative amendment application or the validity challenge is approved but does not require further application under any subdivision or land development ordinance, the developer shall have one (1) year within which to file for a building permit. Within the one (1) year period, no subsequent change or amendment in the zoning, subdivision, or other governing ordinance or plan shall be applied in any manner which adversely affects the rights of the applicant as granted in the curative amendment or the sustained validity challenge. During these protected periods, the court shall retain or assume jurisdiction for the purpose of awarding such supplemental relief as may be necessary.

SECTION 2812. PROCEDURE TO OBTAIN PRELIMINARY OPINION

In order not to delay unreasonably the time when a landowner may secure assurance that this ordinance or map under which he proposes to build is free from challenge, and recognizing that the procedure for preliminary approval of his development may be too cumbersome or may be unavailable, the landowner may advance the date from which time for any challenge to this ordinance or map will run by the following procedure:

1. The landowner may submit plans and other materials describing his proposed use or development to the Zoning Officer for a preliminary opinion as to their compliance with the applicable ordinances and maps. Such plans and other materials shall not be required to meet the standards prescribed for preliminary, tentative, or final approval or for the issuance of a building permit so long as they provide reasonable notice of the proposed use or development and a sufficient basis for a preliminary opinion as to its compliance.
2. If the Zoning Officer's preliminary opinion is that the use or development complies with this ordinance or map, notice thereof shall be published once each week for two (2) successive weeks in a newspaper of general circulation. Such notice shall include a general description of the proposed use or development and its location, by some readily identifiable directive, and the place and times where the plans and other materials may be examined by the public. The favorable preliminary approval and the time therein specified for commencing a proceeding with the Board shall run from the time when the second notice thereof has been published.

SECTION 2813. APPEALS TO COURT

All appeals from all land use decisions rendered pursuant to any proceeding under this ordinance

shall be taken to the Court of Common Pleas of Lancaster County and shall be filed within thirty (30) days after entry of the decision or, in the case of a deemed decision, within thirty (30) days after the date upon which notice of said deemed decision is given.

SECTION 2814. AMENDMENTS

The Board of Commissioners may from time to time, after public notice and hearing as hereinafter prescribed, amend, supplement, change, or repeal this ordinance, including the Zoning Map. Any amendment, supplement, change, or repeal may be initiated by the Township Planning Commission, the Board of Commissioners, or by a petition to the Board of Commissioners. Such amendment, supplement, change, or repeal shall be submitted to the Township Planning Commission for its recommendations and shall be specifically found by the Board of Commissioners to be in accordance with the spirit and intent of the formally adopted portions of the Comprehensive Plan before final action shall be taken by the Board of Commissioners.

1. Amendments initiated by the Township Planning Commission. When an amendment, supplement, change, or repeal is initiated by the Township Planning Commission, the proposal shall be presented to the Board of Commissioners, who shall then proceed in the same manner as with a petition to the Board of Commissioners, which has already been reviewed by the Township Planning Commission.
2. Amendment initiated by the Board of Commissioners. When an amendment, supplement, change, or repeal is initiated by the Board of Commissioners, it shall submit the proposal to the Township Planning Commission for review and recommendations.
3. Procedure for petition. The petition for amendment, supplement, change, or repeal shall contain as fully as possible all the information requested by the Zoning Officer and shall be signed by at least one record owner of the property in question, whose signature shall be notarized, attesting to the truth and correctness of all the facts and information presented in the petition. A fee to be established by the Board of Commissioners shall be paid upon the filing of such petition for change and for the purpose of defraying the costs of the proceedings prescribed herein.
4. Referral to Township and Lancaster County Planning Commissions.
 - A. After receipt of the petition by the Board of Commissioners, said petition shall be presented to the Township Planning Commission for review and recommendations at least thirty (30) days prior to the public hearing. A report of said review, together with any recommendations, shall be given to the Board of Commissioners in writing within thirty (30) days from the date of said referral. If the Township Planning Commission shall fail to file such a report within the time and manner specified, it shall be conclusively presumed that the Township Planning Commission has approved the proposed amendment, supplement, change, or repeal.
 - B. The proposed ordinance shall also be referred to the Lancaster County Planning Commission for recommendations in accordance with Section 609 of the Pennsylvania Municipalities Planning Code, Act 247, as amended.
5. Public hearing.

- A. The Board of Commissioners shall fix a time and place for a public hearing at which parties of interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be published in one newspaper of general circulation in the Township once each week for two (2) successive weeks, not more than sixty (60) days and not less than seven (7) days prior to the date of said hearings.
 - B. In addition, if the proposed amendment involves a Zoning Map change, notice of said public hearing shall be conspicuously posted by the Township at points deemed sufficient by the Township along the perimeter of the tract to notify potentially interested citizens. The affected tract or area shall be posted at least one (1) week prior to the date of the hearing.
6. Action by the Board of Commissioners.
- A. If, after any public hearing held upon an amendment, the proposed amendment is changed substantially, or is revised, to include land previously not affected by it, the governing body shall hold another public hearing, pursuant to public notice. Notice of the proposed amendment must also be published at least ten (10) days prior to enactment.
 - B. Within thirty (30) days of enactment, a copy of the amendment shall be forwarded to the Lancaster County Planning Commission.
7. Authentication of Official Zoning Map. Whenever there has been a change in the boundary of a zoning district or a reclassification of the zoning district adopted in accordance with the above, the change on the Official Map shall be made and shall be duly certified by the Township Manager-Secretary and shall thereafter be refiled as part of the permanent records of the Township.

ARTICLE XXIX. VALIDITY AND SEVERANCE

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

ARTICLE XXX. REPEALER

Any Resolution, Ordinance or part of any Resolution or Ordinance inconsistent herewith and any amendments thereof, are hereby expressly repealed.

ARTICLE XXXI. EFFECTIVE DATE

This Zoning Ordinance shall take effect and be in force immediately upon adoption by the Board of Commissioners of the Township of Manheim.

Duly Ordained this _____ day of _____, _____

ATTEST:

BOARD OF COMMISSIONERS
Township of Manheim

By

Sean P. Molchany, Secretary

(Vice) Chairman, Board of Commissioners

Appendix A: Form-based Code
 General Manual of Written and Graphic Design Standards
 Manheim Township- Lancaster County, PA

Index and Applicability

Design Element		District/Development Option						
		<i>PRD</i>	<i>T-4</i>	<i>T-5</i>	<i>T-6</i>	<i>D-R</i>	<i>D-C</i>	<i>D-A</i>
1.	Overall Goals	X	X	X	X	X	X	X
2	Blocks	X	X	X	X			X
3	Building Height	X	X	X	X	X	X	X
4	Building Location	X	X	X	X	X	X	
5	Common Open Space	X		X				
	- Greens, Squares and Plazas	X		X				
6	Dwelling Unit Mix	X						
7	Garages, Private	X	X	X	X			
8	Main Street	X						
9	Anchor Store Lot Diagram	X		X	X	X		
10	Commercial with Drive through Lot Diagram	X		X	X	X	X	X
11	Convenience Store with Gas Station Lot Diagram	X		X	X	X	X	X
12	Parking Structures/Decks	X			X	X		X
13	Parking Location	X	X	X	X			
14	Pedestrian Circulation and Connectivity	X	X	X	X	X	X	X
15	Streets, Alleys & Blocks	X	X	X	X	X	X	X
16	Streetscape and Street Wall	X	X	X	X	X	X	X

X = Design Standards shall apply where the design element is proposed (i.e., if a parking structure is not proposed as part of the PRD, the design standards are not applicable).

Overall Goals

Legislative Intent

- 1.2 This Manual is intended to comply with Section 708-A of the Pennsylvania Municipalities Planning Code entitled: Manual of Written and Graphic Design Guidelines.
- 1.3 This Manual is intended to help protect and enhance the character of Manheim Township and promote preferred development types.
- 1.4 This Manual is intended to depict and illustrate the Form-Based concepts listed under Applicability.



Precedent: Eagleview, Uwchlan Township, PA, to inspire PRD development.

Design Standards

- 1.5 This Manual shall be applied to the T-4, T-5, T-6, and D-R Overlay Districts as well as the PRD development option, as specified in the applicability chart and within each district.
- 1.6 This Manual shall be utilized to plan, design, construct and maintain buildings, structures, streetscapes, and other landscapes.
- 1.7 The Form-Based Concepts depicted in the places, spaces, buildings, and streetscapes shown in this Manual shall be emulated.
- 1.8 This Manual shall be used in conjunction with the full text of this Chapter and that of the Subdivision and Land Development Ordinance.



Precedent: Eagleview, Uwchlan Township, PA, to inspire the T-4 Overlay



Precedent: Main Street at Exton, West Whiteland Township, PA, to inspire the D-R Overlay District.

Blocks

Legislative Intent _____

- 2.1 Blocks are intended to be short, generally rectilinear in shape, and formed by Streets and Alleys.

PRD



Wyndcrest, Sandy Spring, MD. A precedent for the T-3 District.

Design Standards _____

- 2.2 A maximum perimeter length for blocks shall be provided by T-Zone Overlay Districts or the PRD provisions.
- 2.3 Where it is infeasible for block compliance with these dimensional requirements due to natural resource constraints or existing street alignments, a mid-block walkway shall be provided to connect streets which form the block's perimeter.

T-4



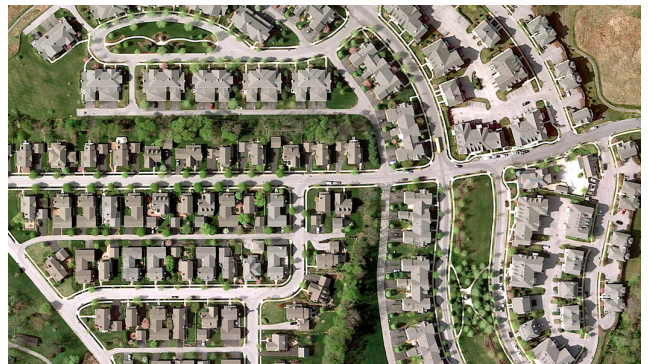
The Kentlands, Gaithersburg, MD. A precedent for the T-4 District.

T-4/T-5



Lantern Hill, Doylestown Borough, PA. A precedent for the T-5 District.

T-5/T-6



Eagleview, Uwchlan, PA. A precedent for the T-5 District.

Building Height

Legislative Intent _____

- 3.1 Building Height is intended to vary by T-Zone Overlay District.
- 3.2 Higher building heights are intended to induce more efficient land use while providing opportunities for a mix of uses, and providing incentives for Transferable Development Rights (TDRs).
- 3.3 Minimum building heights along Build-to Lines are intended to define clearly recognizable Streetscape edges.



In the 1960's, a 3-story mixed-use structure formerly located in Neffsville (above) was replaced with a 1-story structure (below) which is incapable of defining a public streetscape edge

Design Standards _____

- 3.4 A minimum Principal Building Height of 20 feet or two stories shall be provided in the T-4, T-5, T-6 and D-R Overlay Districts.
- 3.5 Maximum Principal Building Heights, including those heights permitted through the purchase of Transfer of Development Rights, shall be as follows:
 - T-4: 36 to 50 feet
 - T-5 Neffsville: 36 to 50 feet
 - T-5 Oregon: 55 feet
 - T-6: 45 to 64 feet
 - D-R: 45 to 64 feet
 - D-A: 35 to 55 feet
 - D-C: 45 - 55 feet
- 3.6 All buildings within the Airport Hazard Area shall comply with the specific height requirements of this District.



3-story mixed-use structures successfully define a Streetscape at Richmond Square



A 6-story structure at College Row, Lancaster City, incorporates mixed uses and efficient land utilization

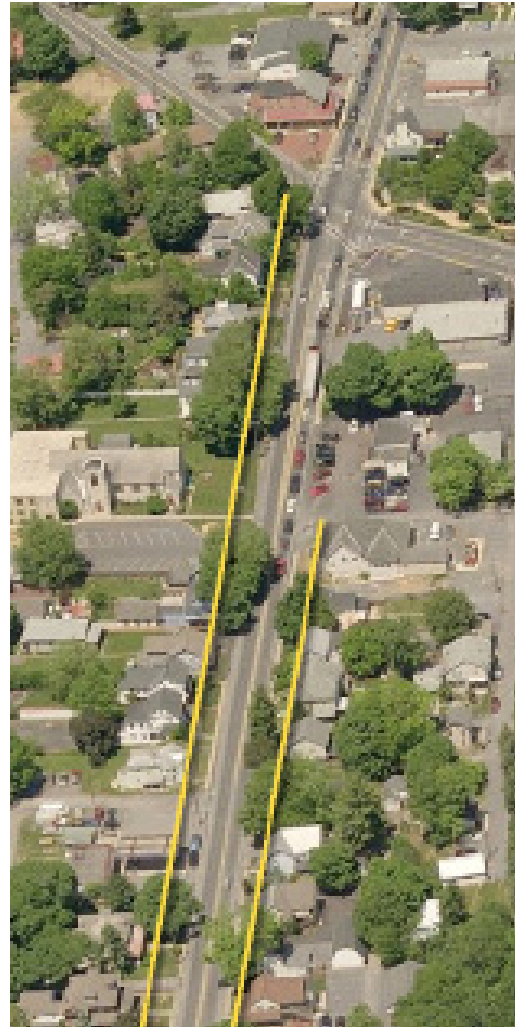
Building Location

Legislative Intent _____

- 4.1 Buildings are intended to be located close to sidewalks and in general alignment with other buildings on a block.
- 4.2 Defining a pedestrian friendly Streetscape, buildings located along a Build-to Line are intended to form a Street Wall.

Design Standards _____

- 4.3 New buildings shall be placed at Build-to Lines in accordance with T-Zone Overlay Districts. Build-to lines shall be established by block and shall fall within the following ranges:
 - T-4: 10 to 25 feet •D-A: 15 to 25 feet
 - T-5: 10 to 20 feet •D-R: 15 to 25 feet
 - T-6: 8 to 15 feet •D-C: 15 to 25 feet
- 4.4 New buildings on corner lots shall be placed along both Build-to Lines unless an approved Green, Plaza, or Square is provided at the same street corner.
- 4.5 At least 60% of an individual building facade shall be located along the Build-To Line. Up to 40% of the facade may be offset from the Build-to Line by a maximum of four (4) feet in order to provide architectural recesses, projections, or open space, and to provide visual diversity and architectural enhancement.
- 4.6 Where a building is constructed at a Build-to Line, but does not extend the full length of a lot, a Street Edge Treatment shall complete the remainder of the Build-to Line otherwise formed by a facade, except where access lanes and walkways shall exist.
- 4.7 To further induce visual diversity, up to 10% of buildings on a block may be offset from the Build-to Line a maximum of two (2) feet in either direction.



Buildings in Alignment along Build-to Lines in the Village of Neffsville



Buildings located at Build-to Line near the Village of Eden (c. 1920)

***Common Open Space
 Overview***

Legislative Intent _____

- 5.1 Common Open Space is intended to be in the form of the following Open Space types:
- Plazas;
 - Greens or Squares;
 - Mini-Parks or Play Areas; and
 - Neighborhood Parks.



Plaza

Design Standards _____

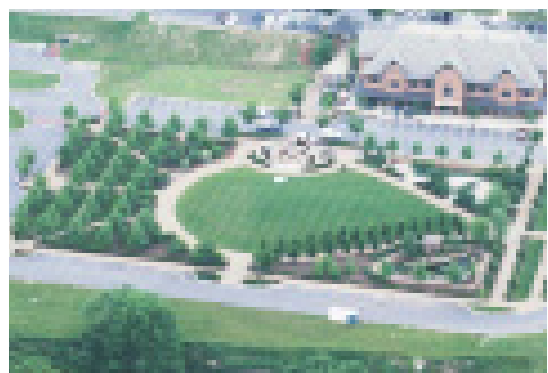
- 5.2 Provide Common Open Spaces throughout proposed neighborhoods and revitalized areas of Manheim Township.

Common Open Spaces shall be sized as follows:

- Plaza: 1,000 square feet or larger
 - Green or Square: 3,000 square feet or larger
 - Mini-Park or Play Area: 10,000 square feet or larger; and
 - Neighborhood Park: 2 acres or larger.
- 5.3 There shall be at least one (1) open space type located within 1,500 feet of 90% of all dwelling units within a new neighborhood.
- 5.4 Active recreation shall be provided within one or more of these open space types at a rate of 5% of the total required open space or 1 acre, whichever is greater.



Green/Square



Mini-Park/Play Area



Neighborhood Park

Common Open Space
Plazas

Legislative Intent _____

- 5.5 A plaza is intended to be a predominantly paved space located in a neighborhood center or Main Street Area.

Design Standards _____

- 5.6 Plazas which are approximately 1,000 to 3,000 square feet in size shall be created.
- 5.7 Plazas shall be paved with brick, flagstone, or like materials.
- 5.8 Plazas shall be embellished with benches, plantings, lighting, and civic art.



Plaza located at former Neffsville Post Office (c. 1940)



Plaza located in State College, PA



Plaza located at Kentlands in Gaithersburg, MD

Common Open Space
Greens and Squares

Legislative Intent _____

5.9 A Green or Square is intended to be a primarily rectilinear open space physically defined by walkways, streets, and architectural edges.

Design Standards _____

- 5.10 Greens and Squares which are approximately 3,000 to 10,000 square feet in size shall be created.
- 5.11 Greens and Squares shall be designed, constructed, and maintained as predominantly level areas (less than 5% slope).
- 5.12 Greens and Squares shall be designed, constructed, and maintained as combined paved and landscaped spaces.
- 5.13 Greens and Squares shall be embellished with benches, pavilions, lighting, plantings, and the like.



Neffsville's former Green located in front of the original high school (c. 1931)



Residential Green located in Glen Mills, PA



Legacy Village Green located in Cleveland, OH

Common Open Space
Mini-Parks and Play Areas

Legislative Intent _____

5.14 Mini-Parks and Play Areas are intended to provide both active and passive recreational opportunities.

Design Standards _____

5.15 Mini-Parks and Play Areas which are approximately 10,000 square feet to two (2) acres in size shall be created.

5.16 Mini-Parks and Play Areas with benches, play equipment, lighting, shade trees, other plantings gazebos and/or pavilions shall be designed, constructed, and maintained.

5.17 Existing natural and cultural resources present at sites of proposed Mini-Parks and Play Areas shall be preserved.



Former Mini-Park consisting of wading pool and pavilion located in Grandview Heights (c. 1930)



Mini-Park located at Kissel Hill Commons



Play Area located at 6th Ward Memorial Park, Lancaster City

Common Open Space
Neighborhood Parks

Legislative Intent _____

5.18 Neighborhood Parks are intended to be diversified open space amenities accessible from each proposed and existing Manheim Township neighborhood.



Former Paper Mill located at the present site of Perelman Park and adjacent to the Conestoga River

Design Standards _____

5.19 Neighborhood Parks which are approximately two (2) or more acres in size shall be created.

5.20 Neighborhood Parks shall be designed, constructed, and maintained in accordance with National Recreation and Park Association (NRPA) Standards and Guidelines (<http://www.nrpa.org>).

5.21 Existing natural and cultural resources present at sites of proposed Neighborhood Parks shall be preserved.



Perelman Park includes 5.1 acres dedicated to passive recreation and riverfront access



A Neighborhood Park located in Exton, PA



Jaycee Park includes 2.4 acres dedicated to both passive and active recreation

Dwelling Unit Mix

Legislative Intent _____

- 6.1 A diverse mix of Dwelling Unit types is intended to be provided in each neighborhood.
- 6.2 Dwelling Units of various types are intended to be intermingled rather than isolated into separate Neighborhood sections.



Attached units surrounded by single-family detached and semi-detached dwellings, Weatherstone TND.

Design Standards _____

- 6.3 New Neighborhoods shall include a minimum of two (2) Dwelling Unit types, where each type comprises a minimum of 40% of the total unit mix. Single family detached units are not required.
- 6.4 Where (3) three or more Dwelling Unit types are proposed, there shall be a 40% maximum of any one type, and no minimum.
- 6.5 A minimum of 10% of neighborhood blocks shall include at least two (2) Dwelling Unit types.
- 6.6 Dwelling unit types shall be intermingled throughout the development, and where applicable, mixed into the commercial core, so that no type is isolated in a particular area of the development.



Intermingled Dwelling Units, Lantern Hill TND



Larger Manor House, Lantern Hill TND.



Mixed-use "Live-Work" buildings adjacent to a residential neighborhood at Eagleview, Uwchlan Township, PA.

Private Garages

Legislative Intent _____

- 7.1 A Garage is intended to be either an accessory structure or a portion of a structure, incidental to a principal dwelling, and less visually prominent than a principal dwelling.
- 7.2 Garages, whether attached or detached, are intended to be set back from the primary facade of a Dwelling Unit and, to the greatest extent feasible, accessed via alleys in order to minimize disruption to the Streetscape and pedestrian network.



Detached, Rear-loaded Garages in Grandview Heights

Design Standards _____

- 7.3 Attached, front-loaded Garages shall be set back a minimum of 15 feet from a primary facade's vertical plane.
- 7.4 Detached, front-loaded Garages shall be set back a minimum of 40 feet from a street right-of-way.
- 7.5 Rear-loaded Garages shall be set back a minimum of 8 feet from an alley.



Attached, Rear-loaded Garages at Brighton



Front loaded garages at Worthington

Main Street Environment

Legislative Intent _____

- 8.1 A Main Street type environment is intended to serve as the focal point of a neighborhood.
- 8.2 Main Street is intended to be comprised of a mix of commercial, residential and public and semi-public uses in a pedestrian friendly setting.

Design Standards _____

- 8.3 The blocks that comprise Main Street shall be designed for a mix of commercial, residential and public and semi-public uses set in a series of attached and detached buildings located along the build-to line.
- 8.4 At least 25% of the buildings along Main Street shall have a minimum of two stories; all buildings shall have a minimum height of 20 feet.
- 8.5 Buildings and/or fences/walls shall line the entire length of the Street Wall along Main Street, except along curb cuts.
- 8.6 Off-street parking is prohibited to be located along the corners of Main Street.
- 8.7 Main Street shall provide on-street parking with off-street parking to the sides and rear of buildings.
- 8.8 Main Street shall provide opportunities for second floor apartments or offices located above commercial.
- 8.9 When large format commercial, commercial with drive-through service, or convenience stores with fueling stations are located along Main Street, the buildings shall comply with lot diagram concepts shown on the following pages.



Main Street Environment in Exton, PA

Main Street Environment
Large format Retail



Anchor Store along Main Street

Main Street Environment
Commercial with Drive-through (Corner location)



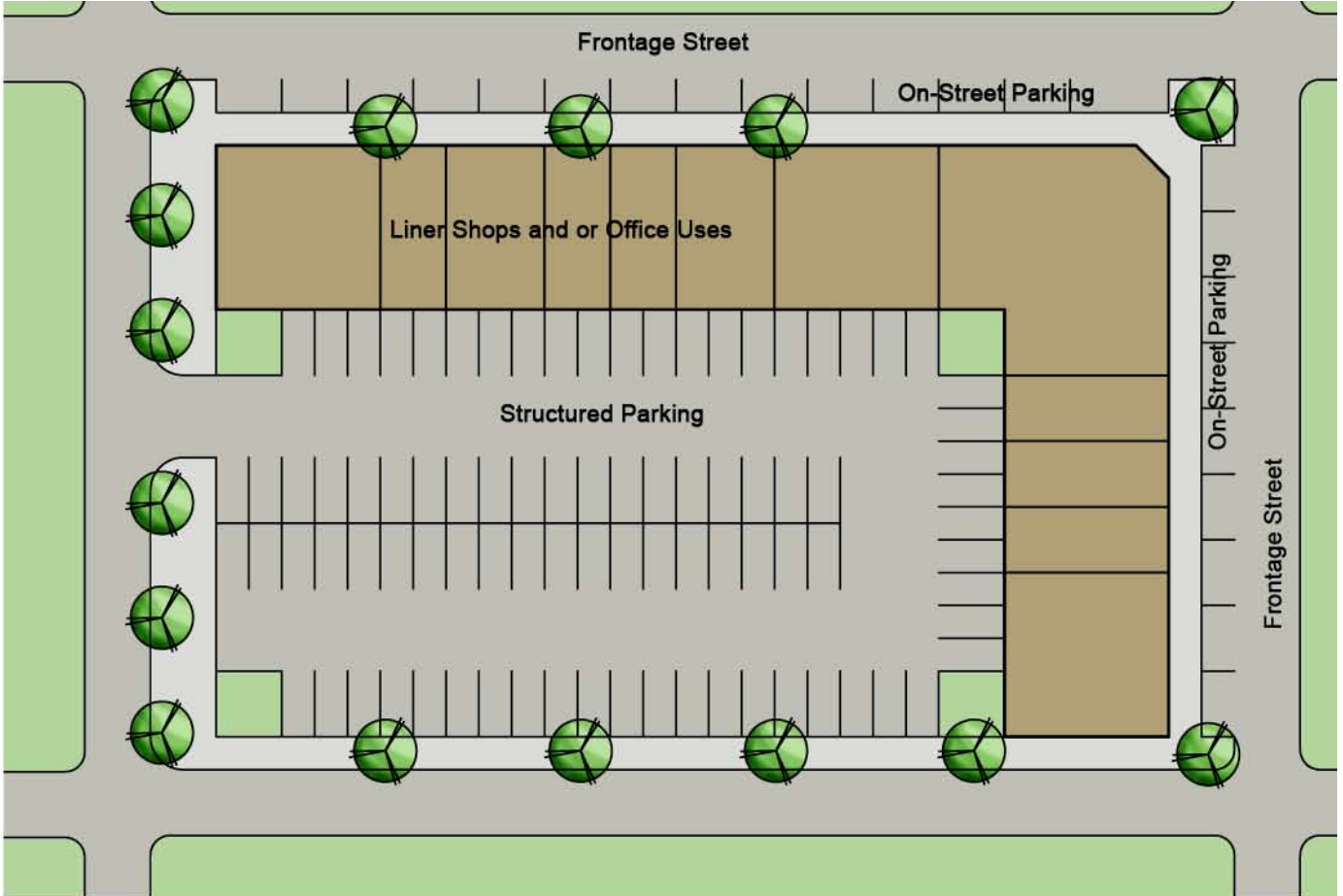
Drive-thru Restaurant or Bank on a Corner
(Building “Anchors” Corner)

Convenience Store with Gas Station



**Convenience Store with Fuel Pumps
(Building "Anchors" Corner)**

Parking Structures/Decks



Structured parking with liner uses maintains build-to line.



Parking Location

Legislative Intent _____

- 13.1 Off-Street Parking is intended to be located to the rear of buildings, or to the side of buildings, where necessary.
- 13.2 Off-street parking is intended to be accessed via Alleys to the greatest extent feasible to minimize curb cuts and preserve the streetscape.
- 13.3 On-Street Parking is intended to provide necessary parking spaces, while buffering pedestrians from passing vehicular traffic.



Access drives to hidden rear Parking Areas located in the Village of Neffsville

Design Standards _____

- 13.4 Off-Street Parking shall be located to the rear of buildings, or behind the Build-to Line if side yard location is necessary due to site configuration.
- 13.5 Off-Street Parking lots shall not be located at street corners along designated Main Streets.
- 13.6 Off-Street Parking lots and garages shall be accessed via Alleys, unless Alley construction is not feasible due to site configuration.
- 13.7 On-Street Parking shall be provided where feasible, and where necessary to meet parking needs of adjoining land uses.



Parked vehicles buffer pedestrians from vehicular traffic in Lititz, PA



Off-Street Garage Parking Areas in Glen Mills, PA

Pedestrian Circulation & Connectivity

Legislative Intent _____

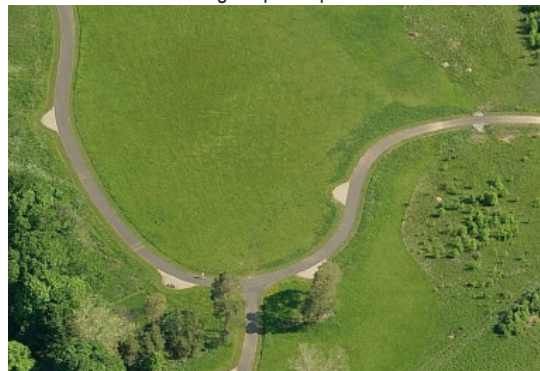
- 14.1 Sidewalks, crosswalks, walkways, and linear trails are intended to create a viable network for walking as an alternative to vehicular travel, and as a form of recreation.
- 14.2 A continuous pedestrian network is intended to link community facilities, shopping areas, new and existing neighborhoods, parks, recreation areas and other open spaces.



An informal trail through Open Space

Design Standards _____

- 14.3 Sidewalks shall be at least five (5) feet in width in residential areas, and a minimum of ten (10) feet in width in non-residential or mixed-use areas.
- 14.4 Sidewalks and walkways shall be installed along a minimum of one side of all streets in T-Zone Overlay Districts, and both sides of all streets where feasible in terms of natural resource constraints or site conditions.
- 14.5 At least five (5) feet of clear pedestrian walkway shall be maintained where outdoor dining is proposed.
- 14.6 Sidewalk paving materials designed to accommodate both pedestrian and motorists shall extend across driveway/accessway aprons.
- 14.7 Sidewalks shall be connected using crosswalks where appropriate.
- 14.8 Crosswalks shall be six (6) to ten (10) feet in width.



Walkway at Overlook Park



Generously proportioned Sidewalk in Lititz, PA



Pedestrian Crosswalk in Lancaster, PA

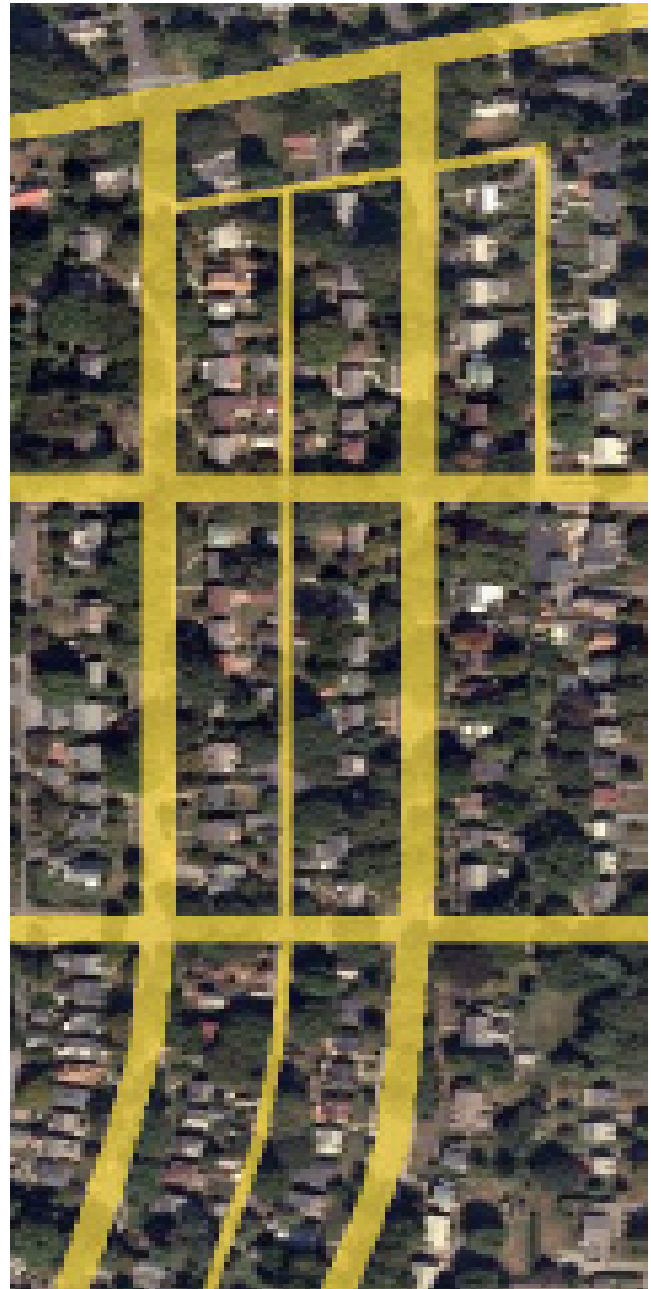
Streets, Alleys & Blocks

Legislative Intent _____

- 15.1 Blocks are intended to be the principal organizing feature of a neighborhood.
- 15.2 Streets and Alleys are intended to form blocks.
- 15.3 An interconnected network of Streets and Alleys is intended to enhance pedestrian and vehicular circulation.

Design Standards _____

- 15.4 Neighborhoods shall be created with a Traditional Block pattern formed by Streets and Alleys.
- 15.5 An interconnected network of Streets and Alleys, that extends existing streets and alleys where possible, shall be provided and maintained.
- 15.6 Proposed developments in the T-4, T-5, T-6, and D-R, D-C and D-A Overlay Districts shall connect to the existing street network in at least two (2) locations.
- 15.7 Proposed Streets and Alleys shall preserve and connect to the traditional, existing Street and Alley Network in T-6 Overlay District.



Traditional Network of Streets and Alleys form blocks in Grandview Heights

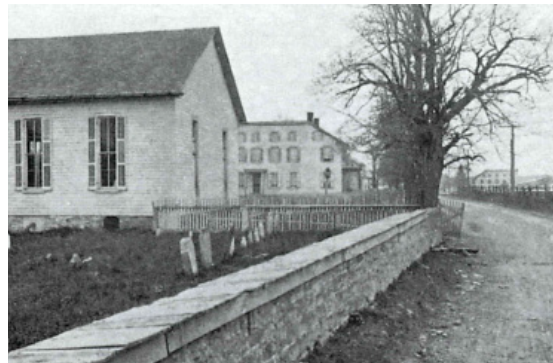
Streetscape & Street Walls

Legislative Intent _____

- 16.1 The Streetscape is intended to be defined by buildings, street trees, sidewalks, and/or Street Edge Treatments that form Street Walls near sidewalks.
- 16.2 The Streetscape is intended to be enhanced with such features as street trees, street lights, sidewalks, porches, fences, and like-type amenities.



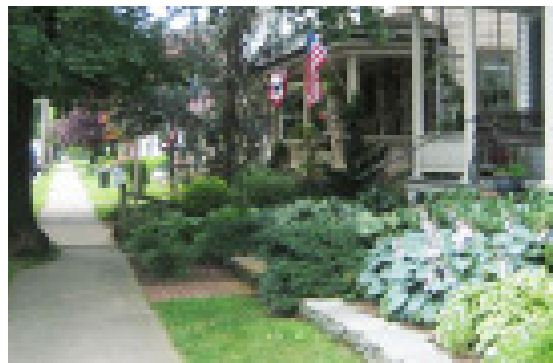
Buildings and Fences defined the Streetscape Edge in the Village of Neffsville (c. 1900)



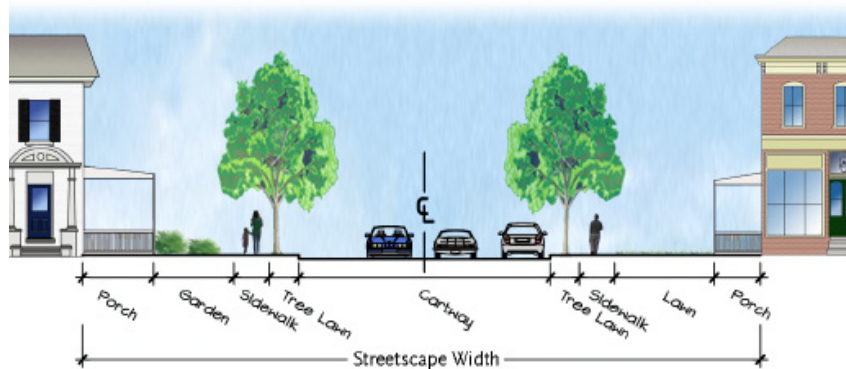
Streetscape Edge Treatments including Walls and Fences defined the Streetscape Edge in the Village of Oregon (c. 1800's)

Design Standards _____

- 16.3 Street Walls, with buildings located in alignment and close to the sidewalk, shall be established and maintained.
- 16.4 Where existing buildings do not form a Street Wall, a Street Edge Treatment, such as a fence, hedge, piers, or a low, free-standing wall shall be installed and maintained along the Build-to Line.
- 16.5 The Streetscape shall be embellished with street trees, street lights, porches, fences, and/or other front yard amenities.
- 16.6 Streetscape width shall range in size from 60 feet to 110 feet.



Street Wall created by aligned homes Lititz, PA



A Streetscape physically defined by Buildings, Street Trees, Sidewalks, and Cartway

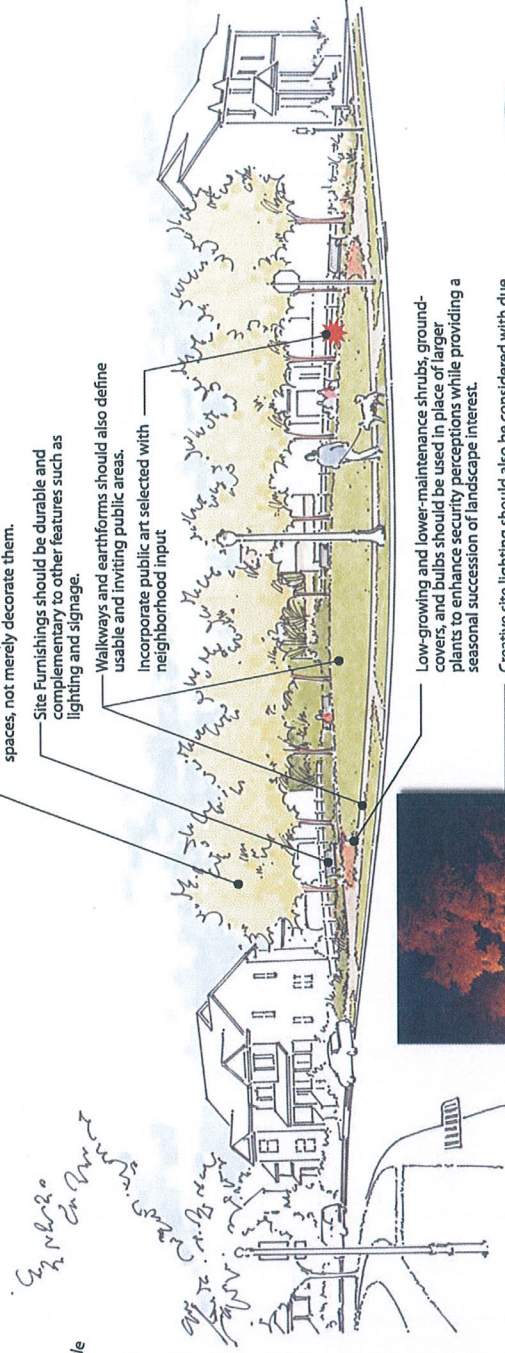


Existing Open Space

Site of Proposed Transformation Example

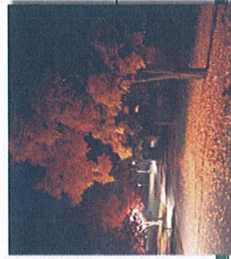
Proposed Open Space Transformation

- Trees should help to define outdoor spaces, not merely decorate them.
- Site Furnishings should be durable and complementary to other features such as lighting and signage.
- Walkways and earthforms should also define usable and inviting public areas.
- Incorporate public art selected with neighborhood input



Low-growing and lower-maintenance shrubs, ground-covers, and bulbs should be used in place of larger plants to enhance security perceptions while providing a seasonal succession of landscape interest.

Creative site lighting should also be considered with due respect to nearby residents and 'dark sky' initiatives. (Image courtesy of Brinjac Lighting)

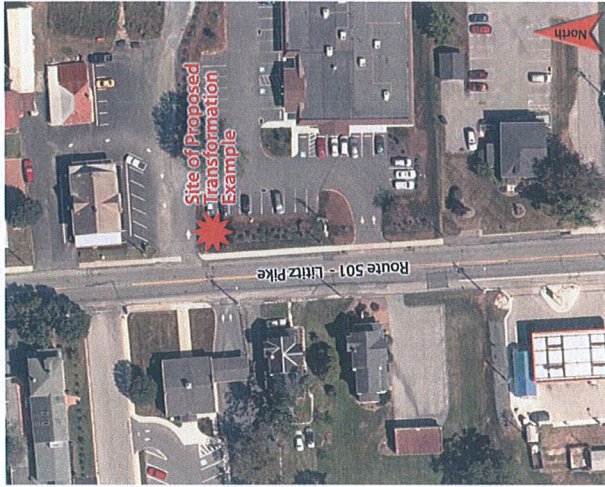


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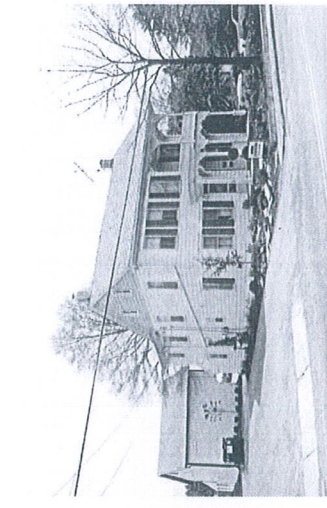
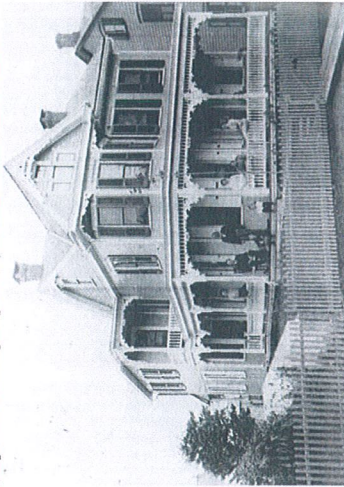
Appendix B: Transformation Concept #1

Pedestrian Gathering Area (Kissel Hill Commons Example)

July 21, 2011



Fences defined public and private areas in historic Neffsville.
 (Image from *From The Beginning - A History of Manheim Township, C. Nat. Netscher*)



Preserve Village "street wall" and historic resources through adaptive re-use of existing structures (e.g. former residence as a pet supply shop with upper level apartment).

Minimize the width of access drives and continue sidewalk paving materials across vehicular areas.

Locate all off-street parking areas in side or rear yard areas only.

Restore street tree plantings and relocate overhead utilities to rear alleys where feasible.

Construct pedestrian areas with a minimum 5' width.

Incorporate pedestrian-scaled street lighting



Proposed Streetscape Transformation
 In place of off-street parking lots or prominent signage, terminate all key view corridors (e.g. southbound Litzitz Pike) with plantings, compatible architecture, or public art.

Create outdoor gathering spaces defined by traditional fences where feasible.

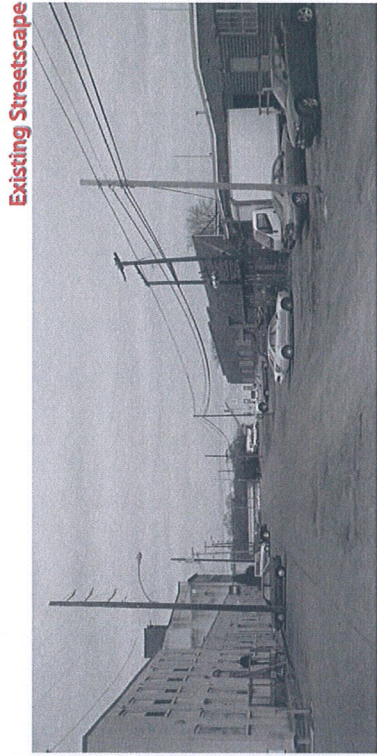
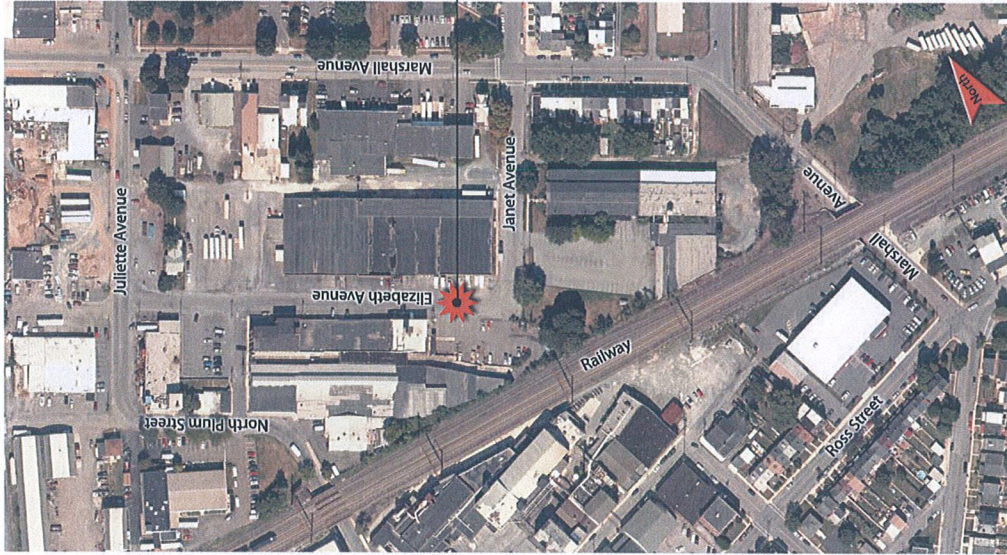
Preserve or restore main building entrances on front facades; permit views from streets into all retail areas.

Incorporate on-street parking spaces for traffic-calming and customer convenience wherever feasible.



Appendix B: Transformation Concept #2 Village Infill/Redevelopment (Neffsville Example)

July 21, 2011



Existing Streetscape



Contemporary architecture with traditional materials & cable-mounted street lighting

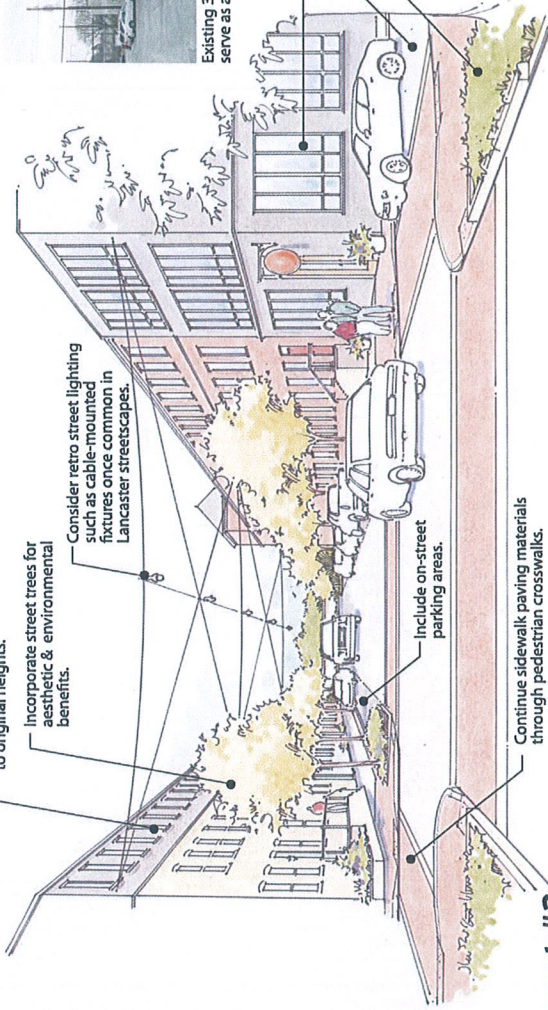
Proposed Streetscape Transformation

Site of Proposed Transformation Example

Restore historic warehouse structures to original heights.

Incorporate street trees for aesthetic & environmental benefits.

Consider retro street lighting such as cable-mounted fixtures once common in Lancaster streetscapes.



Include on-street parking areas.

Continue sidewalk paving materials through pedestrian crosswalks.

Existing 3-story structure on Elizabeth Ave. could serve as an architectural model for infill development.

Replace 1-story buildings with new mixed-use infill structures (min. 3-stories).

Provide access to off-street parking located to the side or rear of new structures.

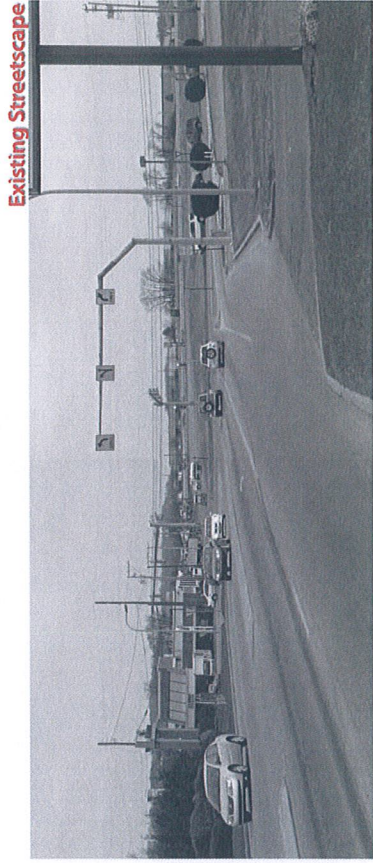
Incorporate rain gardens to reduce storm water run-off.



Appendix B: Transformation Concept #3

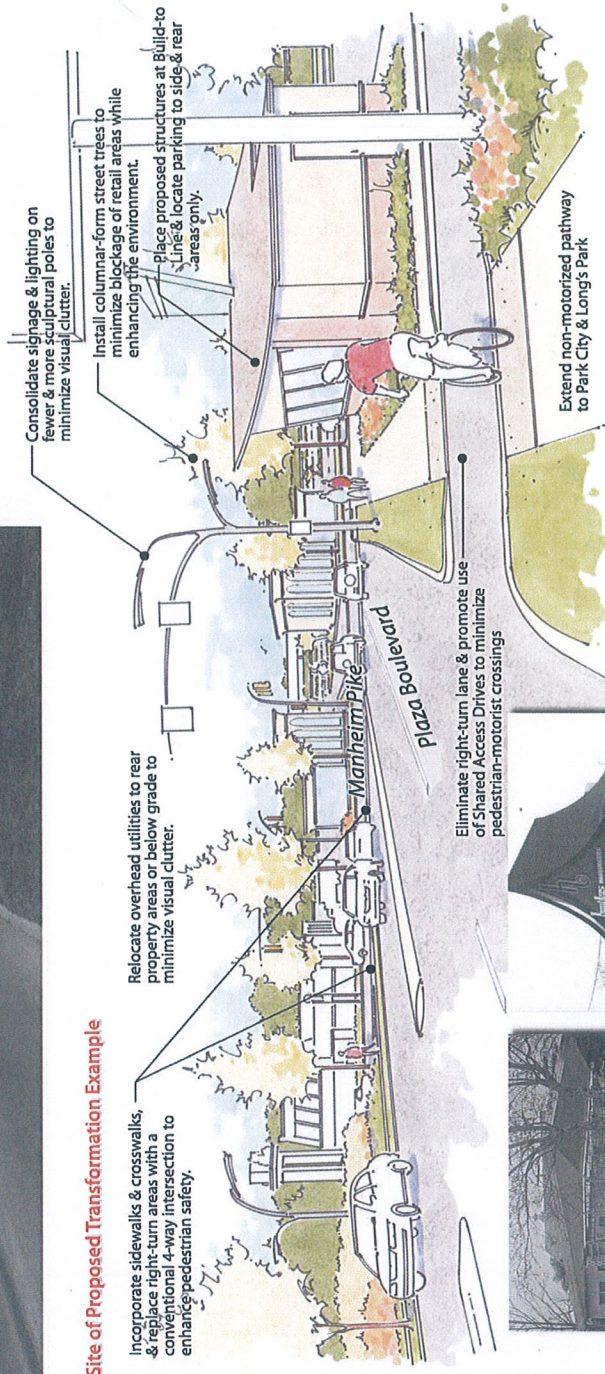
MIXED-USE REDEVELOPMENT (Elizabeth Avenue Example)

July 21, 2011



Existing Streetscape

Proposed Streetscape Transformation



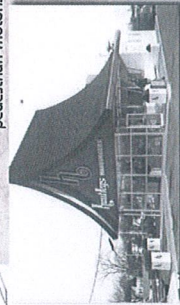
Site of Proposed Transformation Example

Incorporate sidewalks & crosswalks, & replace right-turn areas with a conventional 4-way intersection to enhance pedestrian safety.

Relocate overhead utilities to rear property areas or below grade to minimize visual clutter.

Eliminate right-turn lane & promote use of Shared Access Drives to minimize pedestrian-motorist crossings

Extend non-motorized pathway to Park City & Long's Park



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**Appendix B: Transformation Concept #4
Commercial Corridor Retrofit (Manheim Pike Example)**

July 21, 2011



Legend

- Existing Structure to be Preserved
- Two or Three-Story Residential Structure
- Three or Four-Story Mixed Use Structure (Retail, Hotel & Residential Uses)
- Street Wall / Build-to-Line

Appendix B: Transformation Concept #5

Industrial District Retrofit to a Transit-Oriented, Mixed-Use Neighborhood

July 21, 2011

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Appendix C - Manheim Township Zoning Ordinance

PRD Design Standards

Overall Intent and Dwelling Mix

1. PRDs shall be compact, mixed residential neighborhoods, as demonstrated in the examples on this page from Lantern Hill TND, Doylestown, PA (a); and Weatherstone TND West Vincent Township, PA (b).
2. A minimum of two (2) dwelling unit types shall be provided, with three (3) or more strongly encouraged. Unit types shall be intermingled, with no single dwelling type isolated at an outer corner/edge of the development, except that Apartments over Commercial may be limited to the Commercial core.
3. Where a Commercial component is included, Apartments above Commercial shall be an included dwelling unit type.



Lantern Hill TND, Doylestown, PA



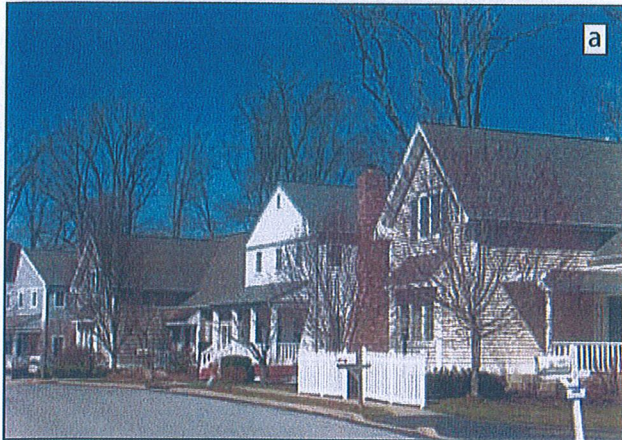
Lantern Hill TND, Doylestown, PA



Weatherstone TND, West Vincent Township, PA

Appendix C - Manheim Township Zoning Ordinance

PRD Design Standards Building Placement



Eagleview TND - Dwellings along the Build-To Line



Lantern Hill TND - Dwellings along the Build-To Line

1. Buildings in a PRD shall be located along the Build-To Line as follows:
 - + In close proximity to public or private streets, such as in the examples on this page from Eagleview TND, Exton, PA (a); and Lantern Hill TND, Doylestown, PA (b); and
 - + To anchor corners, such as in the example from Lantern Hill TND, Doylestown, PA (c).
2. If the front of a building is not located along the Build-To Line, it shall instead front on internal Open Space, as shown in the example from Lantern Hill TND, Doylestown, PA (d).
3. A corner building that fronts on internal Open Space shall have the side facade located along the adjacent Build-To Line.



Lantern Hill TND - Corner building along the Build-To Lines



Lantern Hill TND - Dwellings fronting on internal Open Space

Appendix C- Manheim Township Zoning Ordinance

PRD Design Standards Open Space

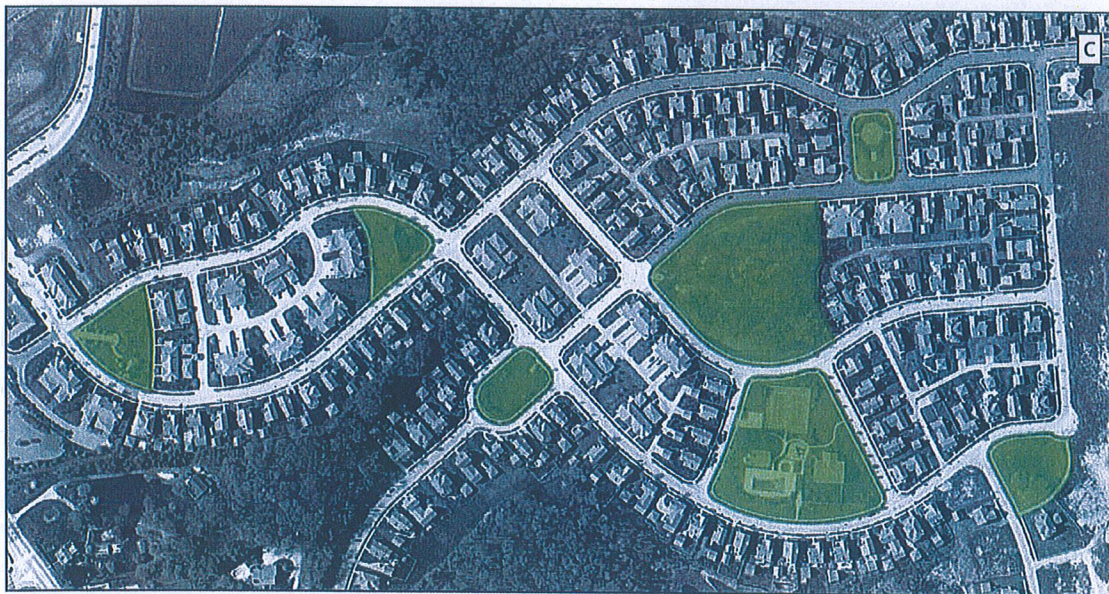
1. A variety of internal Open Space types shall be provided and linked via an interconnected and handicapped accessible bicycle and pedestrian network. This network may consist of concrete sidewalks, as shown in the example from Lantern Hill TND in Doylestown, PA (a), or non-motorized paths surfaced with asphalt, decomposed granite, crushed stone screenings, etc., as shown in the example from Concord Twp, PA (b).
2. Crosswalks with depressed curbs/curb ramps shall be utilized wherever the bicycle and pedestrian network crosses a street.
3. Open Space shall include a variety of amenities appropriate to the type of Open Space, such as gazebos, pavilions, benches, bicycle racks, wayfinding signage, fitness stations, trash and recycling receptacles, dog waste stations, etc.
4. Internal Open Spaces shall be centrally located to individual neighborhoods, so that all dwellings are no more than 1,500 feet from such a space, as seen in the example shown from Weatherstone TND in West Vincent Twp, PA (c).



Lantern Hill TND - Sidewalk through Open Space



Concord Township - Non-motorized Path

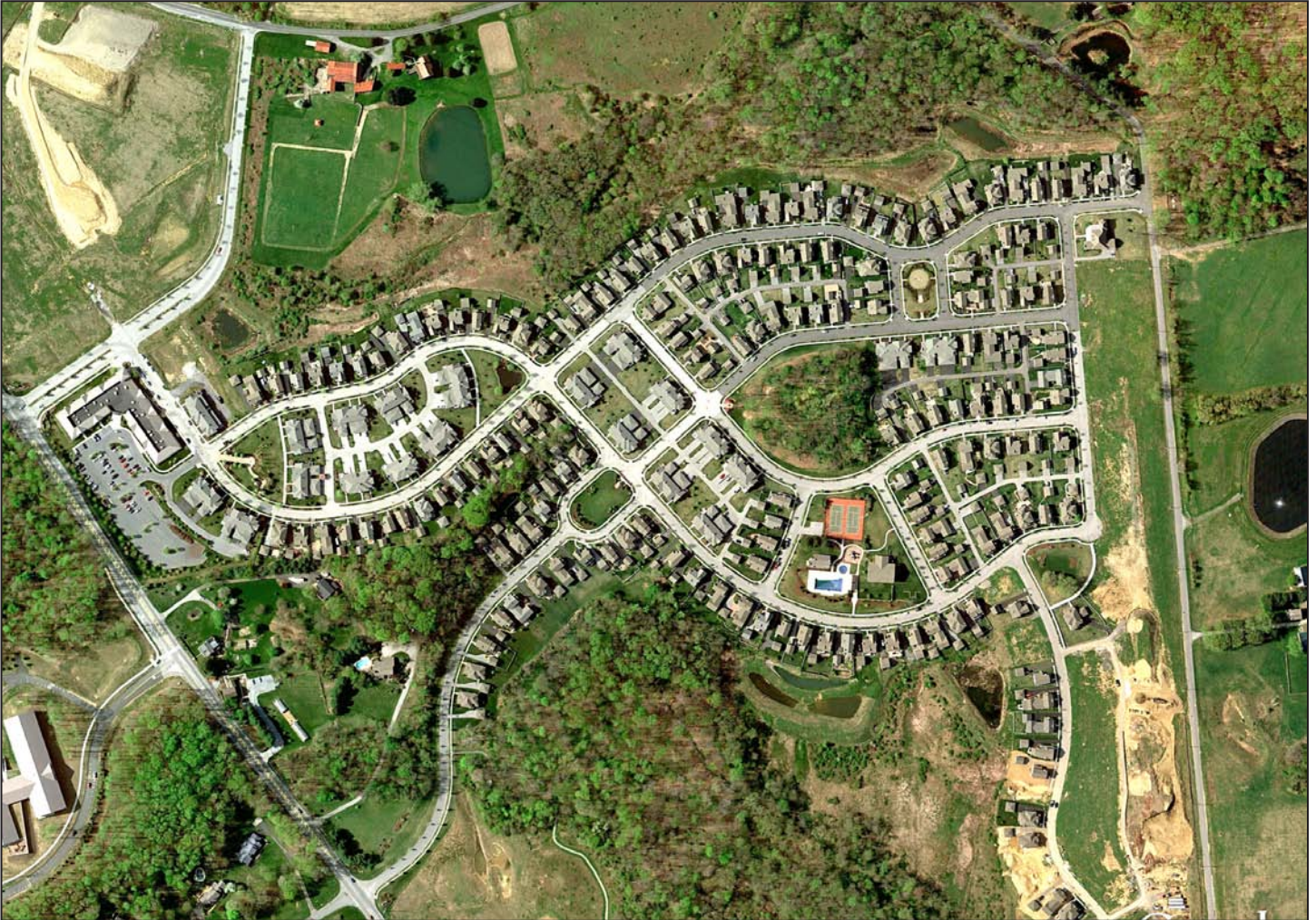


Weatherstone TND - Distribution of Open Space areas (shaded in green)

Appendix D - Manheim Township Zoning Ordinance

T-3 Zone: Weatherstone

West Vincent Township - Chester County, PA



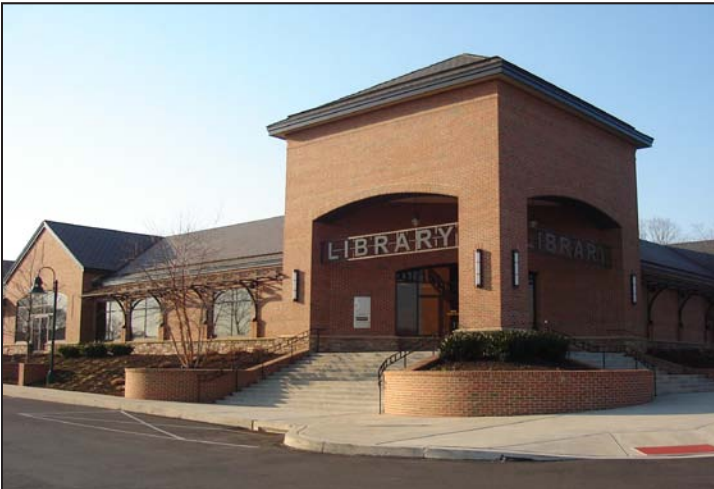
Total Acres:	300.0
Residential:	273 Single-Family Units
Neighborhood Core:	240,000 SF
Open Space:	195.0 Acres
Residential Lot Area:	7,200 -11,700 SF

1. Weatherstone is a 300-acre tract with 195 acres in permanent Open Space, and 105 acres designated for a compact, walkable neighborhood.

Appendix D - Manheim Township Zoning Ordinance

T-3 Zone: Weatherstone

West Vincent Township - Chester County, PA



2. The neighborhood center is home to the Henrietta Hankin Library, and a future commercial core (awaiting the anchor/grocery store tenant).
3. Single-family detached homes have rear garages, many accessed off alleys. Front porches serve as an attractive element along the Streetscape.
4. A variety of small plazas and greens are dispersed throughout the neighborhood near Rts. 100 & 401.



Appendix D - Manheim Township Zoning Ordinance

T-4 Zone: Lantern Hill TND Doylestown Borough - Bucks County, PA



Total Acres: 19.0
Residential: 117 Townhomes
Office/Retail: 72,000 Square Feet
Open Space: Approx. 3.5 Acres
Residential Lot Area: 4,200 -7,000 SF

1. Lantern Hill was enabled by a TND-1 Zoning Ordinance Amendment.
2. Greens and neighborhood open spaces provide scenic amenities and serve as gathering areas for special events.
3. Rear alleys encourage a pedestrian-oriented Streetscape. As garages are located behind homes, curb cuts are minimized, and the aesthetics of the neighborhood are improved.
4. Building types, such as Duplexes, Townhomes and a few Single-Family Detached Units, are emblematic of Doylestown Borough.

Appendix D - Manheim Township Zoning Ordinance

T-4 Zone: Lantern Hill TND

Doylestown Borough - Bucks County, PA



5. On-street parking provides additional spaces for guests, creates a “buffer” for pedestrians, and increases safety along the sidewalk.
6. Sidewalks, street trees, pedestrian-scale lighting, and porches located close to the sidewalk create a cohesive Streetscape and give homes a charming curb appeal.
7. An interconnected network of streets, sidewalks and paths improves circulation, and provides safe pedestrian access to nearby destinations.



8. A mix of nearby commercial uses, such as a bank, retail shops, and offices, provides amenities and destinations within walking distance of residences.



Appendix D - Manheim Township Zoning Ordinance

T-5 Village Zone: Eagleview

Uwchlan Township - Chester County, PA



Total Acres: Approx. 800

Residential: Approx. 600 Units

Commercial: 535 Acres

1. Eagleview is a diverse mixed-use development with a variety of residential neighborhoods, offices, retail shops, and civic amenities.
2. Each neighborhood has its own character, and offers a different housing type, such as Townhome, Apartment, Duplex, or Single-Family Detached Unit.

Appendix D - Manheim Township Zoning Ordinance

T-5 Village Zone: Eagleview

Uwchlan Township - Chester County, PA



3. Lots with a minimum of 6,500 SF are permitted for single-family dwellings, and one-way alleys are permitted to be 12 feet wide in residential neighborhoods.
4. Parking is either located to the rear of buildings, or recessed away from the road; buildings with attractive front porches are located close to the street. These elements combine to create vibrant Streetscapes uninterrupted by curb cuts or gaps in the building line.
5. Open Space consists of preserved areas, plazas, outdoor dining and gathering areas, and active and passive recreation areas.



Appendix D - Manheim Township Zoning Ordinance

T-6 Zone: Urban Villages- City of St. Paul, Minnesota



1. Six brownfield sites along the Mississippi River were rezoned to permit traditional neighborhood development and encourage infill.
2. A minimum building height of two stories helped to establish the street wall and create an “outdoor room”. Vertical integration of uses was encouraged through permitted building heights of four to six stories.
3. Ground floor commercial uses with residential or office uses above are a more effective use of land and infrastructure and help to create the village feel.

Appendix D - Manheim Township Zoning Ordinance

T-6/D-Retrofit Zone: Bicentennial Garage

West Chester Borough - Chester County, PA



1. The Bicentennial Parking Garage demonstrates how parking structures can be attractively integrated into an existing streetscape by:
 - maintaining the established build-to line; and
 - emulating the architectural massing and details of surrounding buildings, including bay widths, size and rhythm of window openings, cornices, and varied roof lines.
2. Liner shops along the ground floor maintain the pedestrian friendly streetscape.

Appendix D - Manheim Township Zoning Ordinance

D- Retrofit Zone: Main Street at Exton

West Whiteland Township - Chester County, PA



Total Acres: 143.0

Commercial: Approx. 800,000 SF

Residential: 165 Apartments (Approved)

1. Main Street at Exton is a compact, mixed-use, walkable destination consisting of retail shops, restaurants, and open space. Approved residential units, and potential live-work units lining the main corridor will complete the Town Center concept.



Appendix D - Manheim Township Zoning Ordinance

D- Retrofit Zone: Main Street at Exton

West Whiteland Township - Chester County, PA



2. Numerous outdoor spaces provide opportunities for dining, gathering, and play. Attention to Streetscape details such as lighting, bollards, and paving creates an attractive, comfortable space with distinctive character.
3. Preservation of historic buildings, heirloom trees, and large areas of open space maintain the fabric of the local landscape and provide a meaningful context for the site.
4. The well-designed Streetscape consists of an intact "Street Wall" with 2-story buildings located close to the sidewalk, on-street parking, and narrow streets.



Appendix D - Manheim Township Zoning Ordinance

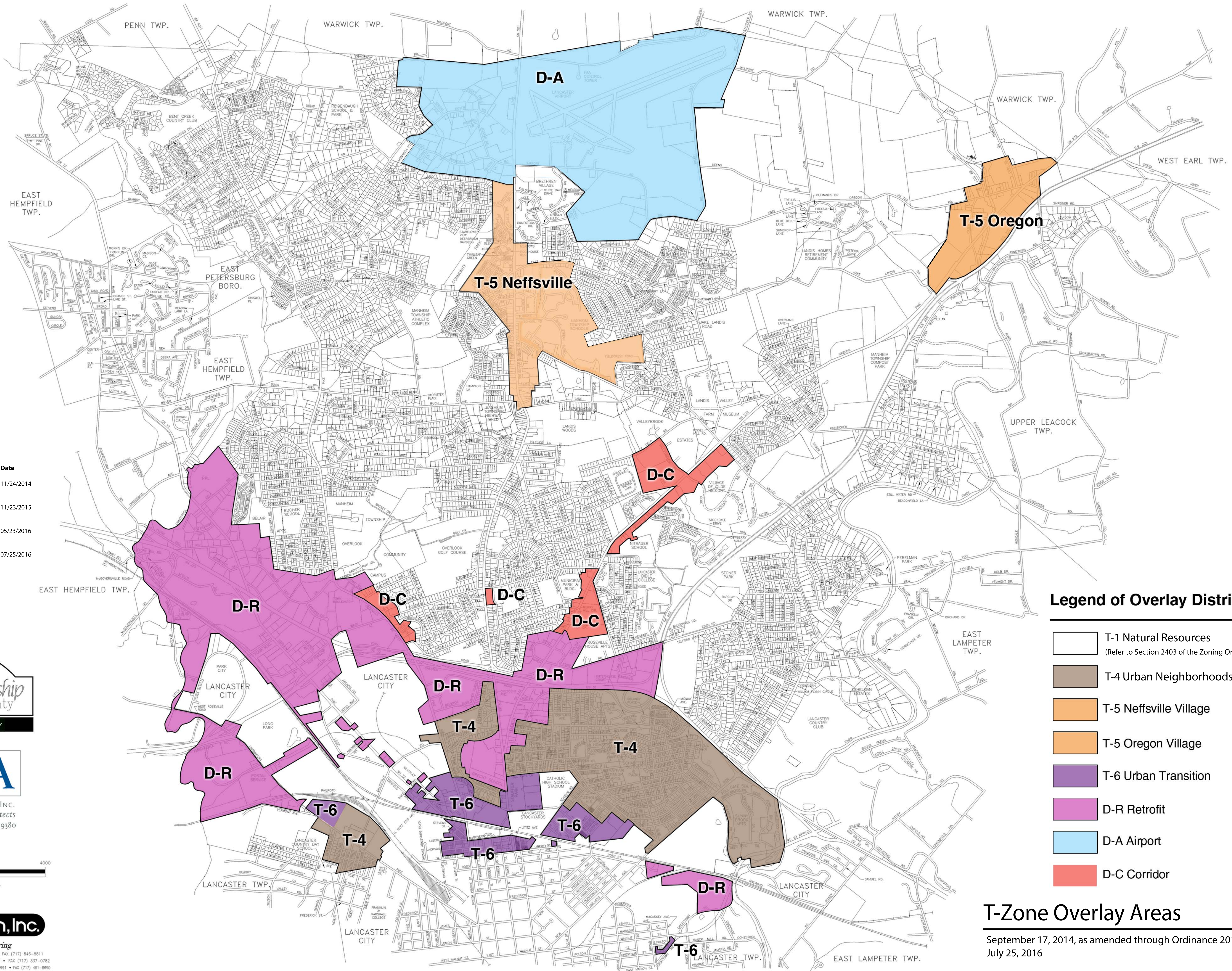
T-6/D- Retrofit Zone: Sharples Works

West Chester Borough- Chester County, PA



1. Nestled among residential neighborhoods, Sharples Works originally housed a cream separator for the dairy industry. The complex dating from the 1890's has been adaptively reused as a unique, upscale apartment complex with 155 units.
2. In addition to the residential units, several original buildings are maintained to accommodate the required onsite parking.





AMENDED PER THE FOLLOWING ORDINANCE:

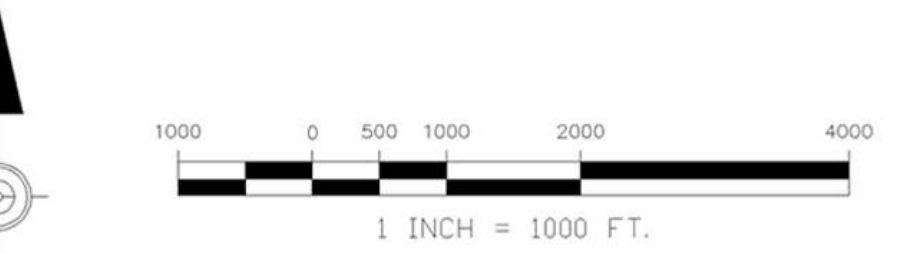
Ordinance#	Description	Date
2014-26	Remove from DA Overlay - Litz Pike & Airport Road	11/24/2014
2015-18	Remove from DA Overlay - Airport Road at Koser Road	11/23/2015
2016-09	Remove from DA Overlay - Airport Road at Fairview Drive	05/23/2016
2016-14	Remove from DA Overlay - Millport Road	07/25/2016

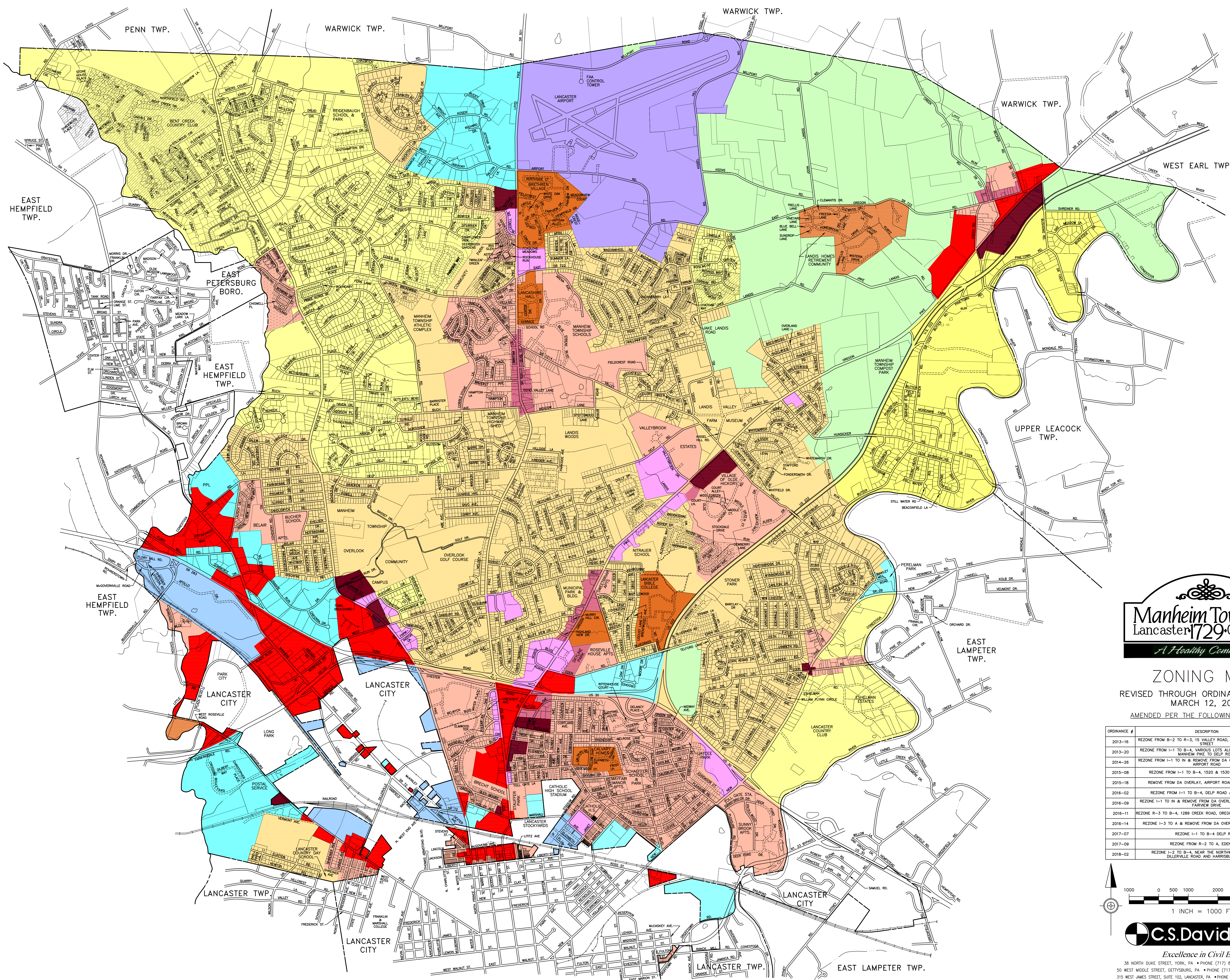
Legend of Overlay Districts

- T-1 Natural Resources
(Refer to Section 2403 of the Zoning Ordinance)
- T-4 Urban Neighborhoods
- T-5 Neffsville Village
- T-5 Oregon Village
- T-6 Urban Transition
- D-R Retrofit
- D-A Airport
- D-C Corridor

T-Zone Overlay Areas

September 17, 2014, as amended through Ordinance 2016-14 July 25, 2016





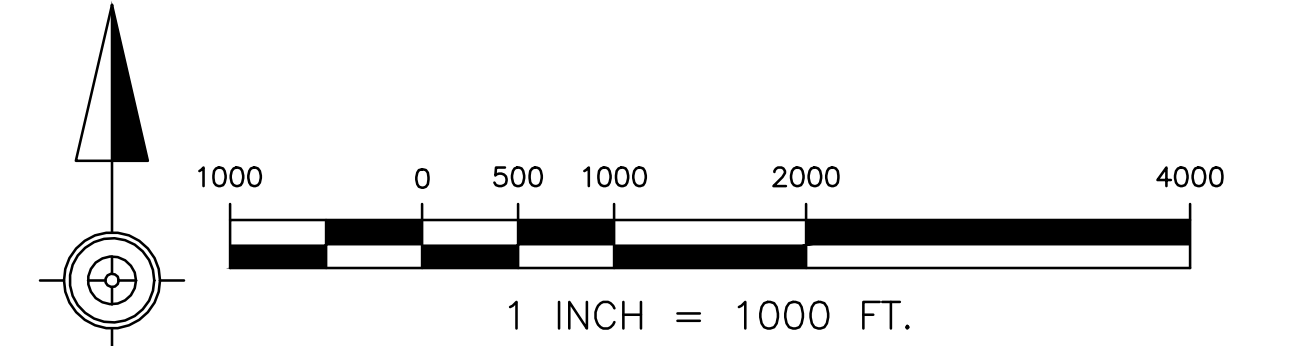
- R-1 RESIDENTIAL DISTRICT
- R-2 RESIDENTIAL DISTRICT
- R-3 RESIDENTIAL DISTRICT
- IN INSTITUTIONAL DISTRICT
- B-1 BUSINESS DISTRICT
- B-2 BUSINESS DISTRICT
- B-3 BUSINESS DISTRICT
- B-4 BUSINESS DISTRICT
- I-1 INDUSTRIAL DISTRICT
- I-2 INDUSTRIAL DISTRICT
- I-3 INDUSTRIAL DISTRICT
- A AGRICULTURAL AREA
- CLUSTER OVERLAY
- APPROVED PLANNED RESIDENTIAL DEVELOPMENT

REFER ALSO TO THE T-ZONE OVERLAY MAP



ZONING MAP
 REVISED THROUGH ORDINANCE 2018-02,
 MARCH 12, 2018
 AMENDED PER THE FOLLOWING ORDINANCES:

ORDINANCE #	DESCRIPTION	DATE
2013-16	REZONE FROM B-2 TO R-3, 15 VALLEY ROAD, VALLEY ROAD AT DUKE STREET	10/26/2013
2013-20	REZONE FROM I-1 TO B-4, VARIOUS LOTS ALONG FLORY MILL ROAD, MANHEIM PIKE TO DELP ROAD	11/25/2013
2014-26	REZONE FROM I-1 TO IN & REMOVE FROM DA OVERLAY, LITIZ PIKE & AIRPORT ROAD	11/24/2014
2015-08	REZONE FROM I-1 TO B-4, 1520 & 1530 COMMERCE DRIVE	4/13/2015
2015-18	REMOVE FROM DA OVERLAY, AIRPORT ROAD AT KOSSER ROAD	11/23/2015
2016-02	REZONE FROM I-1 TO B-4, DELP ROAD AT MANHEIM PIKE	1/25/2016
2016-09	REZONE I-1 TO IN & REMOVE FROM DA OVERLAY, AIRPORT ROAD AT PARKER DRIVE	5/23/2016
2016-11	REZONE R-3 TO B-4, 1289 CREEK ROAD, OREGON PIKE AT CREEK ROAD	6/27/2016
2016-14	REZONE I-3 TO A & REMOVE FROM DA OVERLAY, MILLPORT ROAD	7/25/2016
2017-07	REZONE I-1 TO B-4 DELP ROAD	6/26/2017
2017-09	REZONE FROM R-2 TO A, EDEN ROAD	9/11/2017
2018-02	REZONE I-2 TO B-4, NEAR THE NORTHWEST CORNER OF OLLERVILLE ROAD AND HARRISBURG PIKE	3/12/2018



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