

## ORDINANCE 2016 - 06

### MANHEIM TOWNSHIP

#### **AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWNSHIP OF MANHEIM, ARTICLE 5, DEFINITIONS, TO ADD TO THE PRINCIPAL USES TO WHICH FARMERS MARKET CAN BE AN ACCESSORY USE AND TO AMEND ARTICLE 21, SECTION 2113 TO ADD SPECIFIC CRITERIA RELATING TO FARMERS MARKETS LOCATED WITHIN THE TOWNSHIP**

**BE AND IT IS HEREBY ORDAINED AND ENACTED** by the Board of Commissioners of Manheim Township, Lancaster County, Pennsylvania, as follows:

**Background:** The Board of Commissioners of the Township of Manheim has determined that the Zoning Ordinance of the Township of Manheim, Article 5 Definitions, should be amended to add supermarkets to the principal uses to which Farmers Market may be an accessory use and to add to Chapter 21, Section 2113, additional criteria pertaining to Farmers Market. Accordingly, the Board has determined that these amendments to Zoning Ordinance of the Township of Manheim are in their best interests of the Township and should be made. Therefore, the Board of Commissioners hereby adopts the following amendments to Chapter 5 and Chapter 21, Section 2113:

#### **A. ARTICLE 5 DEFINITIONS**

**FARMERS MARKET** - A periodic market held in an open space, parking lot, or structure as an accessory use to an institutional use, public or semipublic use, municipal use or supermarket use 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 farmers market.

#### **B. ARTICLE 21. ACCESSORY USES**

##### **Section 2113: FARMERS MARKETS**

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.

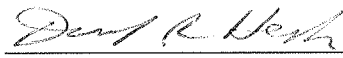
4. The farmers market shall not be located within any designated clear sight triangle, access drive travel lane or parking lot aisle.
5. The farmers market shall not adversely impact the health, safety, and welfare of the Township.
6. Operations including set up and removal shall be limited to two (2) 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 farmers 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.

C. Severability. If any section, subsection, sentence, clause, phrase or word of this Chapter is for any reason held illegal or invalid by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision, and such holding shall not render the remainder of this Chapter invalid.

D. Effective Date: This Ordinance shall take effect five (5) days after enactment by the Board of Commissioners of the Township of Manheim as provided by law.

DULY ENACTED AND ORDAINED, this 28<sup>th</sup> day of March, 2016, by the Board of Commissioners of Manheim Township.

MANHEIM TOWNSHIP

By:   
 (Vice) President  
 Board of Commissioners

ATTEST:   
 (Assistant) Secretary  
 (SEAL)