

# Article 5

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## Specific Criteria

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### **Section 500                    Specific Standards for Special Exception and Conditional Uses**

In addition to the general criteria listed in Sections 704.3.2 and 804.2, the following sets forth standards that shall be applied to each individual special exception or conditional use. These standards must be satisfied prior to approval of any application for a special exception or conditional use. The applicant shall be required to demonstrate compliance with these standards and must furnish whatever evidence is necessary to demonstrate such compliance. All uses must comply with the standards expressed within the underlying zone, unless those standards expressed for each special exception or conditional use specify different standards; in such cases, the specific special exception or conditional use standards shall apply.

For the purposes of this Article 5, any required setbacks imposed upon special exceptions or conditional uses shall be measured from the boundary line of the site for which the special exception or conditional use is requested, regardless of whether or not this line corresponds to a property line or lease line.

### **Section 501                    Amusement Arcades**

- 501.1.            Within the C/I Zone, amusement arcades are permitted by special exception, subject to the following criteria:
- 501.2.            All activities shall take place within a completely enclosed building.
- 501.3.            The applicant must furnish evidence as to how the use will be controlled so as to not constitute a nuisance due to noise or loitering outside the arcade.
- 501.4.            A minimum of one parking space for each eighty (80) square feet of gross leasable floor area shall be provided. In addition, any accessory uses (e.g., snack bar) shall also require parking to be provided in accordance with the schedule listed in Section 412 of this Ordinance.

501.5. A working plan for the cleanup of litter shall be furnished and implemented by the applicant.

501.6. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 502                    Animal Hospitals, Boarding and Breeding Kennels  
(Amended by Ordinance 2015-03 adopted May 7, 2015)**

502.1. Within the (A) Zone, boarding/breeding kennels and animal hospitals are permitted by special exception subject to the following criteria:

- 502.2. Minimum Lot Area:
  - Animal Hospital – Two (2) Acres
  - Boarding Kennel – Twenty (20) Acres
  - Breeding Kennel – Forty (40) Acres

502.3. All animal boarding buildings and any outdoor animal pens, stalls or runways shall be located within the rear yard;

502.4. All animal boarding buildings and any outdoor animal pens, stalls or runways shall be located a minimum of 500 feet from all property lines and 1,000 feet from the Rural Residential, Village Residential or Village Commercial Zoning Districts;

502.5. The applicant shall execute a holding tank agreement and obtain a sewage permit from the Township Sewage Enforcement Officer for the storage of animal waste. No holding tank shall be located within 500 feet of any property line. **(Amended by Ordinance 2016-06 adopted April 7, 2016)**

502.6. The applicant shall exercise control over the animals and shall not allow a nuisance condition to be created in terms of noise, animal waste, and odor;

502.7. Operation of kennels shall comply with the Dog Law, Act of December 7, 1982, P.L. 784, No. 225, as amended, 3 P.S. 459-101 et seq., and all applicable regulations of the Department of Agriculture.

- 502.8. The following shall apply to Breeding Kennels in addition to the requirements of Sections 502.2 to 502.7:
- A. The applicant shall obtain a certificate of use and occupancy for the kennel which shall be renewed yearly. The fee for such certificate of use shall be in accordance with the Drumore Township Fee Resolution.
  - B. The applicant shall permit, at a minimum, yearly inspection of the kennel facility upon being given notice by the zoning officer.
  - C. The applicant shall, at the request of the zoning officer, provide copies of all records required to be maintained by the Dog Law and if the Kennel is not regulated by the Dog Law, the applicant shall keep written record of all dogs transferred and furnish such record at the request of the Township. The records shall include the dates of transfer and the name of the individual to whom each dog is transferred.
  - D. Evidence of PA Dept of Agriculture licensing, if required, shall be provided to the Township prior to the issuance of a certificate of use and occupancy.
- 502.9 The following shall apply to Boarding Kennels in addition to the requirements of Sections 502.2 to 502.7:
- A. The applicant shall obtain a certificate of use for the kennel which shall be renewed yearly. The fee for such certificate of use shall be in accordance with the Drumore Township Fee Resolution.
  - B. Evidence of PA Dept of Agriculture licensing, if required, shall be provided to the Township prior to the issuance of a certificate of use and occupancy.
- 502.10 Non-conforming Breeding Kennels – Any non-conforming breeding kennels shall be required to register the non-conformity in accordance with Section 600 of this ordinance. Non-conforming breeding kennels shall be required to comply with Section 502.8.A through C.

**Section 503 Automobile Auctions and/or Automobile Parking or Storage Compounds**

- 503.1. Within the C/I Zone, automobile auctions and/or automobile parking or storage compounds shall be permitted by special exception, subject to the following:
- 503.2. Any site used for the sale, parking and/or storage of more than fifty (50) vehicles shall front solely upon collector or arterial roads.
- 503.3. All exterior areas used for the sale, parking and/or storage of automobiles shall be completely enclosed by a minimum six (6) foot high fence, which shall be subject to the Zone's setback requirements imposed upon off-street parking lots. All exterior areas used for the sale, parking and/or storage of automobiles shall be screened in compliance with the provisions of Section 414, herein, to provide a screen of fifty percent (50%) opacity.
- 503.4. Access drives shall be governed by Section 411 of this Ordinance for a distance of one hundred (100) feet from the edge of the street right-of-way. Beyond this, all areas used for vehicle sales, parking or storage shall not be governed by Section 411; however, all non-paved areas shall provide an all-weather, dust-free surface.
- 503.5. Vehicles may be parked and/or stored in a horizontally-stacked configuration; however, no vehicles shall be located more than one hundred (100) feet from a minimum eighteen (18) foot wide on-site access drive.
- 503.6. All outdoor lighting shall be designed and constructed in compliance with the provisions of Section 428, herein.
- 503.7. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.
- 503.7. In addition to the preceding requirements, automobile auctions shall comply with the following:
  - 1. The sales area shall be considered to be that of the smallest rectangle, or other regular geometric shape which encompasses all display areas, stands, booths, tables or stalls, plus any adjoining aisles and/or walkways

from which consumers can inspect items for sale. The sales shall include all indoor and outdoor areas as listed above.

- 2. The retail sales area shall be set back at least fifty (50) feet from all property lines, and shall be calculated as part of the maximum permitted lot coverage, regardless of its surface treatment.
- 3. Any exterior lighting and amplified public address system shall be arranged and designed so as to prevent objectionable impact on adjoining properties.
- 4. Exterior trash receptacles shall be provided amid any outdoor sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.
- 5. The servicing, reconditioning, demolition, or junking of vehicles shall be prohibited.
- 6. The applicant shall furnish evidence that the disposal of all materials will be accomplished in a manner that complies with all applicable State and Federal regulations.
- 7. No part of the auction shall be located within two hundred (200) feet of any land within the VR and VC Zones.

**Section 504                      Automobile, Bus, Boat, Farm and Excavation Machinery, Truck, Motorcycle, Snowmobile, Trailer, Manufactured Home, and Heavy Equipment Sales, Service and Repair Facilities**

- 504.1. Within the C/I Zone, automobile, bus, boat, farm and excavation machinery, truck, motorcycle, snowmobile, trailer, manufactured home, and heavy equipment sale and repair facilities are permitted by special exception, subject to the following:
- 504.2. All service and/or repair activities shall be conducted within a completely enclosed building.
- 504.3. All uses involving drive-thru service shall provide sufficient on-site stacking lanes to prevent vehicle back-ups on adjoining roads.

- 504.4. No outdoor storage of parts, equipment, lubricants, or other materials used or discarded, as part of the service or repair operation, shall be permitted.
- 504.5. All exterior storage areas shall be subject to lot coverage requirements and shall be screened and set back from adjoining residentially-zoned properties and roads by at least fifty (50) feet.
- 504.6. Any ventilation equipment outlets associated with the service/repair work area(s) shall be oriented away from any adjoining residentially-zoned properties.
- 504.7. All vehicles and machinery shall be repaired and removed from the premises promptly.
- 504.8. The demolition or junking of vehicles and machinery is prohibited. Demolished vehicles or parts thereof shall be removed from the site within two (2) weeks of arrival.
- 504.9. The applicant shall furnish evidence that the disposal of materials and wastes will be accomplished in a manner that complies with State and Federal regulations. Such evidence shall, at a minimum, include copies of contracts with waste haulers licensed to operate within Lancaster County which have been contracted to dispose of vehicle waste fluids and batteries. The zoning permit for this use shall remain valid only so long as such contracts remain in effect and such wastes are properly disposed of on a regular basis.
- 504.10. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 505                      Automobile Filling Stations, Including Minor Incidental Repair**

- 505.1. Within the C/I Zone, automobile filling stations, including minor incidental repair are permitted by special exception, subject to the following criteria:
- 505.2. The subject property shall have a minimum width of one hundred twenty-five (125) feet.
- 505.3. The subject property shall front on an arterial or collector road.

- 505.4. The subject property shall be set back at least three hundred (300) feet from any lot containing a school, day-care facility, playground, library, hospital or nursing, rest or retirement home.
- 505.5. The outdoor storage of motor vehicles, whether capable of movement or not, for more than one (1) month is prohibited.
- 505.6. All structures, including gasoline pump islands, but not permitted signs, shall be set back at least thirty (30) feet from any street right-of-way line.
- 505.7. No outdoor storage of auto parts shall be permitted.
- 505.8. Access driveways shall be separated from one another by seventy-five (75) feet, as measured from edge to edge, if located along the same frontage, and shall comply with the Pennsylvania Department of Transportation Publication 441 standards.
- 505.9. The applicant shall furnish expert evidence that any exterior amplified public address system and/or exterior lighting has been arranged and designed so as to prevent objectionable impact off the site.
- 505.10. The applicant shall furnish evidence that the disposal of materials and wastes will be accomplished in a manner that complies with State and Federal regulations. Such evidence shall, at a minimum, include copies of contracts with waste haulers licensed to operate within Lancaster County which have been contracted to dispose of vehicle waste fluids and batteries. The zoning permit for this use shall remain valid only so long as such contracts remain in effect and such wastes are properly disposed of on a regular basis.
- 505.11. All ventilation equipment associated with fuel storage tanks shall be set back one hundred (100) feet and oriented away from any adjoining residentially-zoned properties.
- 505.12. The applicant shall furnish evidence that the placement of underground fuel storage tanks is in compliance with State and Federal regulations.
- 505.13. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 506            Bed and Breakfasts**

- 506.1.            Within the A and VC Zones, bed and breakfasts are permitted by right, and within the VR Zone, bed and breakfasts are permitted by special exception, subject to the following criteria:
- 506.2.            For the purposes of this Ordinance, a bed and breakfast shall be defined as an owner-occupied single-family detached dwelling, where between one (1) and five (5) rooms are rented to overnight guests on a daily basis for periods not exceeding two (2) weeks.
- 506.3.            No modifications to the external appearance of the building, except fire escapes, which would alter its residential character, shall be permitted.
- 506.4.            All floors above grade shall have a permanently affixed direct means of escape to ground level.
- 506.5.            One (1) off-street parking space shall be provided for each room available for rent, in addition to those required for the dwelling unit.
- 506.6.            All parking areas shall be set back a minimum of twenty-five (25) feet from all property lines, except in the VC Zone such parking areas shall be set back a minimum of ten (10) feet.
- 506.7.            One outdoor sign no larger than twelve (12) square feet in size and set back ten (10) feet from all lot lines shall be permitted and shall otherwise conform to the provisions of Section 415, Outdoor Signs, herein. Such sign shall require a permit as set forth in Section 415.
- 506.8.            Meals shall be offered only to registered overnight guests.
- 506.9.            The applicant shall furnish evidence that an approved means of sewage disposal and water supply shall be used.
- 506.10.           A certificate of occupancy must be issued by the Township Building Code Official.

**Section 507            Billboards**

- 507.1.            Within the C/I Zone, billboards are permitted by conditional use, subject to the following criteria:

- 507.2. No billboard shall be located within one thousand (1,000) feet of another billboard.
- 507.3. All billboards shall be a minimum of fifty (50) feet from all side and rear property lines.
- 507.4. All billboards shall be set back at least thirty-five (35) feet from any street right-of-way lines.
- 507.5. All billboards shall be set back at least one thousand (1,000) feet from any land within a residential zone.
- 507.6. No billboard shall obstruct the view of motorists on adjoining roads, or the view of adjoining commercial or industrial uses, which depend upon visibility for identification.
- 507.7. No billboard shall exceed an overall size of three hundred (300) square feet, nor exceed a height of twenty-five (25) feet.
- 507.8. All properties upon which a billboard is erected shall be regularly maintained so as not to create a nuisance by means of weeds, litter or vector habitation.
- 507.9. All billboards shall be consistent with the provisions of Section 415 of this Ordinance which shall also require a permit for such use.

**Section 508 Boarding Houses**

- 508.1. Within the VC Zone, boarding houses are permitted by special exception subject to the following criteria:
- 508.2. The following minimum lot area requirements shall be provided:

Minimum Required Lot Size	plus	Additional Lot Area Per Boarder (up to 5 boarders)
43,560 sq. ft.	plus	10,000 sq. ft.

- 508.3. The applicant shall furnish evidence that approved systems for sewage disposal and water supply shall be used.
- 508.4. No modifications to the external appearance of the building, except fire escapes, which would alter its residential character, shall be permitted.

- 508.5. All floors above grade shall have a permanently affixed direct means of escape to ground level.
- 508.6. One off-street parking shall be provided for each room available for rent, in addition to those required for the dwelling unit.
- 508.7. All parking areas shall be set back a minimum of twenty-five (25) feet from all property lines.
- 508.8. One outdoor sign, not to exceed six (6) square feet, shall be permitted and shall otherwise conform to the provisions of Section 415, Outdoor Signs, herein. Such sign shall require a permit as set forth in Section 415.
- 508.9. A certificate of occupancy must be issued by the Township Building Code Official.

**Section 509 Car Washes**

- 509.1. Within the C/I Zone, car washes are permitted by special exception, subject to the following criteria:
- 509.2. The applicant shall furnish evidence that an approved means of sewage disposal and water supply shall be used.
- 509.3. The facility shall utilize a regenerative and recycled water system.
- 509.4. Each washing bay shall provide a one hundred (100) foot long on-site stacking lane.
- 509.5. All structures housing washing apparatus shall be set back one hundred (100) feet from any street right-of-way line, fifty (50) feet from any rear property line, and twenty (20) feet from any lot line.
- 509.6. Trash receptacles shall be provided and routinely emptied to prevent the scattering of litter, and the applicant shall furnish and implement a working plan for the cleanup of litter and debris.
- 509.7. The subject property shall front on an arterial or collector road.
- 509.8. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 510 Churches and Related Uses**

- 510.1. Within the RR Zone, churches and related uses are permitted by conditional use, and within the VR and VC Zones, churches and related uses are permitted by special exception, subject to the following criteria:
- 510.2. House of Worship -
1. Minimum Lot Area - Two (2) acres.
  2. Minimum Lot Width - One hundred fifty (150) feet.
  3. Side Yard Setback - Twenty-five (25) feet on each side.
  4. All off-street parking areas shall be set back at least twenty-five (25) feet from the street right-of-way line.
- 510.3. Church-Related Residences (Rectories and Convents) -
1. All residential uses shall be accessory, and located upon the same lot or directly adjacent to a lot containing a house of worship.
  2. All residential uses shall be governed by the location, height and bulk standards, imposed upon other residences, of the Zone in which the site is located.
- 510.4. Church-Related Educational or Principal Day-Care Centers -
1. All educational or day-care uses shall be accessory, and located upon the same lot as a house of worship.
  2. If education or day-care is offered below the college level, an outdoor play area shall be provided, at a minimum rate of sixty-five (65) square feet per individual enrolled. Off-street parking lots shall not be used as outdoor play areas. Outdoor play areas shall not be located within the front yard and must be set back twenty-five (25) feet from all property lines. Outdoor play areas shall be completely enclosed by a six (6) foot high fence, and screened from adjoining residentially-zoned and/or residentially used properties. Any vegetative materials located within the outdoor play areas shall be of a non-harmful type (i.e. shall not be poisonous, thorny, allergenic, etc.). All

outdoor play areas must provide a means of shade such as a shade tree(s) or pavilion(s).

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

510.5. Cemeteries

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

510.6. The applicant shall furnish evidence that approved systems for sewage disposal and water supply will be utilized.

510.7. Parking shall be provided in accordance with the schedule listed in Section 412 of the Ordinance.

510.8. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 511 Commercial Recreation Facilities**

- 511.1. Within the C/I Zone, commercial recreation facilities, as defined in Section 112, herein are permitted by special exception, subject to the following criteria:
- 511.2. If the subject property contains more than two (2) acres, it shall front on an arterial or collector road.
- 511.3. Those uses involving extensive outdoor activities shall provide sufficient screening and/or landscaping to mitigate any visual and/or audible impacts on adjoining properties.
- 511.4. Any structure exceeding the maximum permitted height may be permitted provided they are set back from all property lines at least the horizontal distance equal to their height, plus an additional fifty (50) feet. Furthermore, such structures shall not be used for occupancy.
- 511.5. The applicant shall furnish evidence that approved systems for sewage disposal and water supply will be utilized.
- 511.6. The applicant shall furnish expert evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, noise, light, litter, dust and pollution.
- 511.7. Required parking will be determined based upon a combination of the types of activities proposed and the schedule listed in Section 412. In addition, the Zoning Hearing Board may require an unimproved grassed overflow parking area to be provided for peak use periods. Such overflow parking areas shall be accessible only from the interior driveways of the permanent parking lot. Overflow parking areas shall contain fencing to prevent vehicles from crossing adjoining properties or directly accessing adjoining roads.
- 511.8. Any booths or other structures used for the collection of admission and/or parking fees shall be set back and arranged to prevent vehicle back-ups on adjoining roads during peak arrival periods. Any other collection of fees (roaming parking lot attendants) shall be conducted in a manner to prevent vehicle back-ups on adjoining roads. If, at any time after the opening of the commercial recreation facility, the Supervisors determine that traffic back-ups are occurring on adjoining roads, and such back-ups are directly related to the means of access to the subject property, the Supervisors can require the applicant to revise the means of access to relieve the undue congestion.

- 511.9. Any outside pedestrian waiting lines shall be provided with a means of shade.
- 511.10. In the case of an amusement or theme park over ten (10) acres in size a traffic study shall be prepared by a professional traffic engineer, according to Section 420 of this Ordinance. Such study shall demonstrate that the proposed use will generate only that traffic normally generated by the type of use or that any abnormal traffic generated will not threaten safety.
- 511.11. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

## **Section 512 Commercial Schools**

- 512.1. Within the C/I Zone, commercial schools as defined in Section 112, herein are permitted by conditional use, subject to the following criteria:
- 512.2. All off-street parking lots shall be set back twenty-five (25) feet and screened from adjoining property lines.
- 512.3. All buildings shall be set back at least one hundred (100) feet from any adjoining land within a residential zone.
- 512.4. If education is offered below the college level, an outdoor play area shall be provided, at a rate of one hundred (100) square feet per individual enrolled. Off-street parking lots shall not be used as outdoor play areas. Outdoor play areas shall not be located within the front yard and must be set back twenty-five (25) feet from all property lines. Outdoor play areas shall be completely enclosed by a six (6) foot high fence, and screened from adjoining residentially-zoned properties. Any vegetative materials located within the outdoor play areas shall be of a non-harmful type (i.e. shall not be poisonous, thorny, allergenic, etc.). All outdoor play areas must provide a means of shade, such as a shade tree(s) or pavilion(s).
- 512.5. Enrollment shall be defined as the largest number of students on the site at any one time during a seven (7) day period.
- 512.6. The applicant shall furnish evidence that approved systems for sewage disposal and water supply will be utilized.

- 512.7. Passenger “drop-off” and “pick-up” areas shall be provided and arranged so that students do not have to cross traffic lanes of or adjacent to the site.
- 512.8. Parking shall be provided in accordance with the schedule listed in Section 412 of this Ordinance.
- 512.9. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 513                      Communication Antennas, Towers and Equipment**

- 513.1                      Within the A Zone communications antennas, towers and equipment are permitted by right on Township owned land, and within the C/I Zone, communication antennas, towers and equipment are permitted by special exception, subject to the following criteria:
- 513.2.                      The applicant shall demonstrate that the proposed location is necessary for the efficient operation of the system and that no other existing towers can be used to co-locate a proposed antenna.
- 513.3.                      Any communication tower shall be set back from each property line a distance equal to its height, plus fifty (50) feet. This setback shall also be applicable to guide wire anchors for the communication tower.
- 513.4.                      All towers and guide wire anchors shall be completely enclosed by a minimum eight (8) foot high fence with a self-locking gate.
- 513.5.                      All ground-mounted satellite dishes that are used to transmit video format data shall be completely enclosed by a minimum eight (8) foot high, non-climbable fence that includes signage warning of dangerous radiation levels. Any gates within the fence shall be locked when unattended.
- 513.6.                      The applicant shall furnish expert testimony regarding the construction methods or other measures used to prevent (1) the toppling of any communication tower onto adjoining properties and/or roads, and (2) the wind-borne scattering of ice onto adjoining properties and/or roads.
- 513.7.                      No site shall be located within five hundred (500) feet of:
  - 1.                      Any land within the RR, VR or VC Zones.

2. The nearest property line of any existing residence.
3. The nearest property line of any approved lot which has been subdivided during the last five (5) years for residential purposes, which has not yet been constructed.
4. The nearest property line of any lot proposed for residential purposes, which has been submitted for preliminary or final subdivision approval.

513.8. If the site is located within the Agricultural Zone, the applicant shall demonstrate that the proposed location on agricultural land is necessary for the efficient operation of the system, that alternative locations outside of the Agricultural Zone are not available, and that the area of the site is the minimum necessary to accommodate the proposed use.

513.9. The applicant shall submit notice of approval for the proposed installation from the Federal Aviation Administration and the Federal Communications Commission.

513.10. Communication antennas that are capable of transmitting signals shall not create electrical, electromagnetic, microwave, or other interference off-site.

513.11. The applicant shall submit expert testimony that the communication tower or antenna is the minimum height required to function satisfactorily.

513.12. The applicant shall submit a plan for the removal of the communication tower and the communication antenna when they become functionally obsolete or are no longer in use. The applicant shall be responsible for the removal of the facility within three (3) months from the date the applicant ceases use of the facility or the facility becomes obsolete.

513.13. In order to reduce the number of antenna support structures needed in the (municipality) in the future, any proposed support structure shall be designed to accommodate other users, including, but not limited to, police, fire and emergency services.

513.14. If an antenna site is fully automated, two (2) off-street parking spaces shall be required. If the site is not automated, the number of required parking spaces shall equal the number of people on the largest shift, but in any event, may not be less than two (2) off-street parking spaces.

**Section 514 Drive-Thru and/or Fast-Food Restaurants**

- 514.1. Within the C/I Zone, drive-thru and/or fast-food restaurants are permitted by special exception, subject to the following criteria:
- 514.2. Unless located within a shopping center or mall, the subject property shall front on an arterial or collector road.
- 514.3. Exterior trash receptacles shall be provided and routinely emptied so as to prevent the scattering of litter. All applications shall include a description of a working plan for cleanup of litter.
- 514.4. All drive-thru window lanes shall be separated by curb from the parking lot's interior driveways.
- 514.5. The applicant shall furnish evidence that approved systems for sewage disposal and water supply will be utilized.
- 514.6. Any exterior speaker/microphone system shall be arranged and/or screened to prevent objectionable noise impact on adjoining properties.
- 514.7. All exterior seating/play areas shall be completely enclosed by a three-foot-high fence.
- 514.8. No part of the subject property shall be located within two hundred (200) feet of any residentially-zoned land.
- 514.9. Parking shall be provided in accordance with the schedule listed in Section 412 of this Ordinance.
- 514.10. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 515 Dry Cleaners, Laundries and Laundromats**

- 515.1. Within the C/I Zone, dry cleaners, laundries and laundromats are permitted by special exception, subject to the following criteria:
- 515.2. All activities shall be conducted within a completely enclosed building.

- 515.3. During operation or plant cleanup and maintenance, all windows and doors on walls facing adjoining residential zones shall be kept closed.
- 515.4. Any exhaust ventilation equipment shall be directed away from adjoining residentially-zoned property.
- 515.5. Self-service laundromats shall require one (1) off-street parking space for each two (2) washing machines; other laundry-related uses shall provide one (1) off-street parking space for each four hundred (400) square feet of gross floor area.
- 515.6. The applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations.
- 515.7. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 516 Farm Occupations**

- 516.1. Within the A Zone, farm occupations may be permitted by special exception if the proposed use is accessory to the principal agricultural use of the property, and subject to the following standards:
- 516.2. For the purposes of this section, farm occupations may involve any one of a wide range of uses, provided that such use remains secondary to and compatible with the active farm use.
- 516.3. Information shall be provided describing the nature of the farm occupation, materials used in the process and waste products generated.
- 516.4. Evidence shall be provided indicating that the disposal of materials and wastes associated with the farm occupation will be accomplished in a manner that complies with State and Federal regulations. Such evidence shall, at a minimum, include copies of contracts with waste haulers licensed to operate within Lancaster County which have been contracted to dispose of the materials and wastes used or generated on-site as identified in Section 516.3., above. The zoning permit for this use shall remain valid only as long as such contracts remain in effect and all materials and wastes are properly disposed of on a regular basis. Should the nature of the farm occupation change in the

future, such that the materials used or wastes generated changes significantly either in type or amount, the owner of the farm operation shall so inform the Zoning Officer, and shall provide additional evidence demonstrating continued compliance with the requirements of this section.

- 516.5. No more than the equivalent of six (6) nonresidents shall be employed by the farm occupation, and at least one owner of the farm occupation must either reside on the site or be a partner in the farm business.
- 516.6. The use must be conducted within one completely enclosed building. Where practicable the farm occupation shall be conducted within an existing farm building. However, any new building constructed for use by the farm occupation shall be located behind the farm's principal buildings, or must be no less than one hundred (100) feet from any adjoining roads or properties. No new access to the roadway shall be permitted for a farm occupation.
- 516.7. Any new building constructed for use by the farm occupation shall be of a design so that it can be readily converted to agricultural use, or removed, if the farm occupation is discontinued.
- 516.8. No part of a farm occupation shall be located within one hundred (100) feet of any side or rear lot line, nor three hundred (300) feet of any land within a residential zone. Such distances shall be measured as a straight line between the closest points of any physical improvement associated with the farm occupation and the property/zoning line.
- 516.9. The farm occupation shall occupy no more than four thousand (4,000) square feet of gross floor area, nor more than one (1) acre of lot area. However, any access drive serving the farm occupation and the farm shall not be calculated as land serving the farm occupation.
- 516.10. No more than fifty percent (50%) of the land devoted to a farm occupation shall be covered by buildings, structures, parking or loading areas, or any other impervious surfaces.
- 516.11. An outdoor sign(s) for a farm occupation shall not exceed ten (10) square feet in area and shall otherwise conform to the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 517 Farmers and/or Flea Markets**

- 517.1. Within the C/I Zone, farmers and/or flea markets are permitted by special exception, subject to the following criteria:
- 517.2. The retail sales area shall be considered to be that of the smallest rectangle, or other regular geometric shape which encompasses all display stands, booths, tables or stalls, plus any adjoining aisles and/or walkways from which consumers can inspect items for sale. The retail sales area shall include all indoor and/or outdoor areas as listed above.
- 517.3. The retail sales area shall be set back at least fifty (50) feet from all property lines, and shall be calculated as part of the maximum permitted lot coverage, regardless of its surface treatment.
- 517.4. Off-street parking shall be provided at the rate of one space per each two hundred (200) square feet of retail sales area, and shall be designed and used in accordance with Section 412 of this Ordinance.
- 517.5. Off-street loading shall be provided at the same rate to that imposed on retail sales as listed in Section 413 of this Ordinance. Again, the retail sales area, as described above, shall be used to calculate needed loading space(s).
- 517.6. All outdoor display and sales of merchandise shall cease no less than one hour prior to dusk.
- 517.7. No exterior amplified public address system shall be permitted.
- 517.8. Exterior trash receptacles shall be provided amid any outdoor retail sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.
- 517.9. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 518 Farm-Related Businesses**

- 518.1. Within the A Zone, farm-related businesses are permitted by special exception, subject to the following standards:
- 518.2. The applicant must provide evidence that the proposed use is important to farming; all activities and services should be directed at meeting the needs of those engaged in farming. The facility should be directed at providing materials and services needed to farm, rather than the distribution of good produced on the farm. Some examples of farm-related businesses include, but need not be limited to:
1. Sales or repair of agricultural equipment.
  2. Blacksmith shops, farriers.
  3. Butcher shops.
  4. Grain mills.
  5. Processing of locally produced agricultural products.
  6. Veterinary offices which primarily treat farm animals.
  7. Feed supply, fuel and fertilizer distributors.
  8. Composting and other farm waste storage facilities.
- 518.3. The farm-related business shall occupy no more than two (2) acres. The applicant shall show that the size of the site is the minimum needed to conduct the farm-related business.
- 518.4. The design of a farm-related business shall be governed by the design standards for the C/I Zone as listed in Section 205, except as follows:
1. The maximum lot coverage shall be forty percent (40%).
  2. No part of a farm-related business shall be within two hundred (200) feet of any property line or within three hundred (300) feet of any land within a residential zone.
- 518.5. The length of any on-site access drive(s) shall be sufficient to allow the stacking of delivery and/or customer vehicles. Furthermore, any use that potentially involves the movement of vehicles through mud and/or manure shall provide a paved

apron of at least fifty (50) feet from the street right-of-way. In addition, another fifty (50) foot gravel section shall be located just beyond the paved apron.

518.6. Any outdoor storage of supplies, materials and products shall be screened from adjoining roads and properties. The display of farm equipment for sale shall be excluded from this provision.

518.7. One outdoor sign, not to exceed thirty-two (32) square feet in total area, shall be permitted for a farm-related business, and shall otherwise conform to the provisions of Section 415, Outdoor Signs, herein. Such sign shall require a permit as set forth in Section 415.

518.8. A farm-related business may take place on the principal farm lot or on a separate lot which may be subdivided from the principal farm lot.

**Section 519 Funeral Homes**

519.1 Within the C/I Zone, funeral homes are permitted by special exception, subject to the following criteria:

519.2 The applicant shall furnish evidence that an approved means of sewage disposal and water supply shall be used.

519.3. Parking shall be provided in accordance with Section 412 of this Ordinance. Such parking shall be sufficient to prevent traffic back-ups onto adjoining roads.

519.4. No vehicular access to the site shall be from an arterial road.

519.5. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 520 Golf Courses**

520.1. Within the A Zone, golf courses are permitted by conditional use, subject to the following criteria: **(Amended by Ordinance 2016-06 adopted April 7, 2016)**

520.2. The applicant must demonstrate that the land within the proposed use is not primarily Class I, II or III prime agricultural

soils, as delineated by the latest version of the U.S. Natural Resources Conservation Service *Soil Survey of Lancaster County, Pennsylvania*.

520.3. In no case shall the golf course design permit or encourage a golf ball to be driven across any building, building lot, parking lot, street, access drive, or driveway.

520.4. Golf Paths - Golf paths shall be graded so as to discharge storm water runoff. Surface conditions of paths shall be adequately protected from an exposed soil condition.

1. The golf course design shall minimize golf path crossings of streets, access drives and driveways. Easily identifiable golf paths must be provided for crossings of streets, access drives or driveways. The golf course design shall both discourage random crossing and require use of the golf path crossings of streets, access drives and driveways. Golf path crossings shall conform with the following:

- A. Each crossing shall be perpendicular to the traffic movements.
- B. Only one street, access drive or driveway may be crossed at each location.
- C. No crossing is permitted between a point fifteen (15) feet and one hundred fifty (150) feet from the cartway edge of a street, access drive or driveway intersection.
- D. The crossing must be provided with a clear sight triangle of seventy-five (75) feet, measured along the street, access drive or driveway centerline and the golf path centerline, to a location on the centerline of the golf path, five (5) feet from the edge of the roadway. No permanent obstruction over three (3) feet high shall be placed within this area.
- E. Sight Distance - Golf path intersections shall be designed to provide adequate sight distance with regard to both horizontal and vertical alignment.

- F. The golf cart path shall not exceed a slope of eight percent (8%) within twenty-five (25) feet of the cartway crossing.
- G. Golf path crossings shall be signed warning motorists and pedestrians and golfers. The surface of the golf path shall be brightly painted with angle stripes.
- H. Golf path crossings of collector or arterial streets shall consist of a tunnel that is located below street grade. The golf course design shall both prohibit on-grade crossing of collector or arterial streets and require the use of the tunnel. The construction of the collector or arterial roadway crossing of the tunnel shall comply with PennDOT standards.

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

520.6. Golf courses may include the following accessory uses, provided such uses are reasonably sized, and located so as to provide incidental service to the golf course employees and users:

- 1. Clubhouse, which may consist of:
  - A. Restaurant, snack bar, lounge and banquet facilities.
  - B. Locker and rest rooms.
  - C. Pro shop.
  - D. Administrative offices.
  - E. Golf cart and maintenance equipment storage and service facilities.
  - F. Guest lodging for those using the golf course, provided:
    - a. No lodging units have separate exterior means of ingress/egress.

- b. All lodging units shall be contained within the main clubhouse.
  - c. Such guest lodging shall have a total occupancy of no more than twenty (20) persons.
  - G. Fitness and health equipment, including workout machines, spas, whirlpools, saunas, and steam rooms.
  - H. Game rooms, including card tables, billiards, ping-pong, and other similar table games.
  - I. Baby-sitting rooms and connected fence-enclosed play lots.
2. Accessory recreation amenities located outside of a building, including:
- A. Driving range, provided that no lighting is utilized.
  - B. Practice putting greens.
  - C. Swimming pools.
  - D. Tennis, platform tennis, handball, racquetball, squash, volleyball, and badminton courts.
  - E. Bocce ball, croquet, shuffleboard, quoits, horseshoe pits, and washers courses.
  - F. Picnic pavilions, picnic tables, park benches, and barbecue pits.
  - G. Hiking, biking, horseback riding, and cross-country ski trails.
  - H. Playground equipment and play lot games, including 4-square, dodge ball, tetherball, and hopscotch.
3. Freestanding maintenance equipment and supply buildings and storage yards.

520.7

**Golf Course Residential Units (Amended by Ordinance 2012-1 adopted June 7, 2012)**

1. Residential development of a golf course is not limited to the restrictions of Section 201.6 of the Agricultural Zoning District. Golf courses shall be permitted additional residential units or lots, in addition to those permitted in Section 201.6, in order to preserve the existing agricultural operations within the Drumore Township Agricultural Zoning District. All other zoning requirements of the Agricultural Zoning District shall apply to golf course residential development.
2. The following table shall be used to determine the permissible number of additional lots which may be subdivided, or the number of new principal residential uses that may be established, respectively, within a golf course. The "Lot Area" calculation contained within the following table shall be based upon all contiguous land within a golf course held in single ownership on the effective date of this ordinance or the area of the golf course contained within a conditional use application.

Lot Area (Acres)		May be Subdivided and/or Number of New Principal Uses Which May be Established
At Least	Less Than	
50	100	4
100	200	6
	Over 200	8

3. The number of additional lots which may be created or residential dwelling units which may be erected shall be fixed according to the size of the parent tract on the effective date of this ordinance or the date of such conditional use decision which permitted the golf course. Any subsequent owner of a golf course, land remaining in the golf course after the subdivision or land which was formerly part of the golf course shall be bound by the actions of his or her predecessor.

- 520.8. All outdoor storage of maintenance equipment and/or golf carts shall be set back at least one hundred (100) feet and screened from adjoining residential structures and roads.
- 520.9. Parking shall be in accordance with the schedule listed in Section 412 of this Ordinance.
- 520.10. All dumpsters and off-street parking and/or loading areas shall be screened from adjoining or nearby residences. In addition,

all off-street loading and dumpsters shall be screened from adjoining roads.

- 520.11. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 521 Home Improvement and Building Supply Stores**

- 521.1. Within the C/I Zone, home improvement and building supply stores are permitted by special exception, subject to the following criteria:
- 521.2. If the subject property contains more than two (2) acres, it shall front along an arterial or collector road.
- 521.3. The retail sales area shall be all areas open for public display, including but not limited to shelves, racks, bins, stalls, tables, and booths, plus any adjoining aisles or walkways from which consumers can inspect items for sale. The retail sales area shall include both interior and exterior areas as listed above.
- 521.4. Off-street parking shall be provided at the rate of one space for each two hundred (200) square feet of interior retail sales area, plus one (1) space for each five hundred (500) square feet of exterior retail sales area.
- 521.5. All exterior retail sales areas shall include a dust-free surface and a completely enclosed six (6) foot high fence and gate.
- 521.6. All exterior storage and retail sales areas (exclusive of nursery and garden stock) shall be screened from adjoining roads and properties.
- 521.7. The applicant shall furnish expert evidence that any exterior amplified public address system and/or exterior lighting has been arranged and designed so as to prevent objectionable impact off the site.
- 521.8. Any drilling, cutting, sawing, mixing, crushing or some other preparation of building materials, plus any testing or repair of motorized equipment shall be conducted within a completely enclosed building.
- 521.9. The applicant shall submit a traffic study as governed by Section 420 of this Ordinance. Such study shall demonstrate

that the proposed use will generate only that traffic normally generated by the type of use or that any abnormal traffic generated will not threaten safety.

- 521.10. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 522 Home Occupations**

- 522.1. Within the A, RR, VR and VC Zones, home occupations are permitted by special exception subject to the following criteria:
- 522.2. The use shall be clearly incidental to the primary use of the premises as a dwelling for living purposes.
- 522.3. No more than the equivalent of two (2) full-time persons, at least one of whom shall be a resident of the dwelling, may be engaged in the home occupation use.
- 522.4. No more than one home occupation may be located in any dwelling unit.
- 522.5. The home occupation shall not alter the appearance of the building as a dwelling unit.
- 522.6. No mechanical equipment shall be employed in a home occupation, other than that customarily utilized for hobby or domestic purposes.
- 522.7. No sales of any goods or merchandise shall occur on the premises, other than those goods or merchandise which are produced on the premises, with the exception of sales which are incidental to services rendered.
- 522.8. No manufacturing shall occur on the premises other than the products of customary hobbies and fabrication of garments by a seamstress.
- 522.9. Home occupations shall be limited to not more than twenty-five percent (25%) of the habitable floor area of the dwelling unit.
- 522.10. No accessory building or structure shall be utilized as a home occupation, except that an accessory building or structure may be used as storage area for the home occupation, provided that said area shall be included in the total area permitted for a home

occupation use, and further, that no such accessory building or structure shall be accessible to the public for business purposes.

522.11. In addition to the required parking spaces for the dwelling unit, one (1) parking space per nonresident employee, plus one (1) parking space per potential patron on site at one time, shall be provided and designed in accordance with the provisions of Section 412 of this Ordinance.

522.12. Only one (1) outdoor sign, not to exceed two (2) square feet in area, and neither internally nor externally illuminated, shall be permitted and shall otherwise conform to the provisions of Section 415, Outdoor Signs, herein. Such sign shall require a permit as set forth in Section 415.

522.13. The applicant shall submit evidence of all applicable State approvals.

**Section 523 Hospitals**

523.1. Within the C/I Zone, hospitals are permitted by conditional use, subject to the following criteria:

523.2. Minimum Lot Area - Five (5) acres.

523.3. The applicant shall furnish evidence that an approved means of sewage disposal and water supply shall be used.

523.4. The subject property shall have frontage along an arterial or collector road.

523.5. All buildings and structures shall be set back fifty (50) feet from all property lines.

523.6. Emergency entrances shall be located on a building wall facing away from adjoining residentially-zoned and/or used properties.

523.7. Off-street parking and loading shall be provided in accordance with Sections 412 and 413 of this Ordinance.

523.8. The applicant shall demonstrate proof of an approved means of disposal of all solid, medical, and hazardous wastes.

523.9. The applicant shall submit a traffic study as governed by Section 420 of this Ordinance. Such study shall demonstrate that the proposed use will generate only that traffic normally generated

by the type of use or that any abnormal traffic generated will not threaten safety.

523.10. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 524 Hotels, Motels and Similar Lodging Facilities**

524.1. Within the C/I Zone, hotels, motels and similar lodging facilities are permitted by special exception, subject to the following criteria:

524.2. The applicant shall furnish evidence that an approved means of sewage disposal and water supply shall be used.

524.3. The following accessory uses may be approved as part of the special exception application.

- 1. Auditorium.
- 2. Barber and beauty shops.
- 3. Gift shop.
- 4. Meeting facilities.
- 5. Recreational uses and swimming pools.
- 6. Restaurants.
- 7. Sauna, spa or steam room.
- 8. Solarium.
- 9. Valet shop.
- 10. Other similar retail sales and personal services.

524.4. The above accessory uses (aside from outdoor recreational uses) shall be physically attached to the main hotel building, except as provided in Section 524.8.

524.5. All hotels shall be separated by at least one thousand (1,000) feet from any other existing hotel facility, as measured from the nearest property line.

- 524.6. Parking shall be provided in accordance with the schedule listed in Section 412 of this Ordinance.
- 524.7. The subject property shall front on an arterial or collector road.
- 524.8. One (1) freestanding restaurant, tavern or nightclub shall be permitted on the same lot as a principal hotel, subject to the following:
  - 1. The proposed restaurant shall offer the preparation and serving of food and drink to be consumed on the premises or to be taken out; no drive-thru services shall be permitted.
  - 2. No additional freestanding signs (other than those permitted for the principal hotel use) shall be permitted.
  - 3. Sufficient off-street parking spaces have been provided and located to conveniently serve the freestanding restaurant without interfering with required off-street parking associated with the hotel use.
- 524.9. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 525 Intensive Commercial and Industrial Uses**

- 525.1. Within the C/I Zone, intensive commercial and industrial uses, as defined in Section 112, herein are permitted by conditional use, subject to the following criteria:
- 525.2. Industrial and Laboratory Uses - As part of the conditional use application, the applicant shall provide detailed information describing the nature of the on-site processing or research operations, the materials used in the process, the products produced, and the generation and methods for disposal of any by-products, and shall further meet the requirements of Section 525.5., below.
- 525.3. Warehousing and Wholesale Trade Establishments - As part of the conditional use application, the applicant shall provide detailed information describing the nature of the on-site activities and operations, the types of materials stored, the frequency of distribution and restocking, the duration period of

storage of materials, and the methods for disposal of any surplus or damaged materials, and shall further meet the requirements of Section 525.5., below.

525.4. Retail Sale and/or Rental of Goods - The subject property shall front on an arterial or collector road. Off-street parking shall be provided at the rate of one (1) space for each two hundred (200) square feet of floor area; the applicant shall further meet the requirements of Section 525.5., below.

525.5. All Intensive Commercial and Industrial Uses - As part of the conditional use application, the applicant shall provide the following:

1. Information on the general scale of the operation in terms of its market area, specific floor space requirements for each activity, the total number of employees on each shift, and an overall needed site size.
2. Information on any environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, wastewater, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish expert evidence that the impacts generated by the proposed use fall within acceptable levels as regulated by applicable laws and ordinances, including, but not limited to those of Section 418 of this Ordinance.
3. Evidence that the disposal of materials and wastes will be accomplished in a manner that complies with State and Federal regulations. Such evidence shall, at a minimum, include copies of contracts with waste haulers licensed to operate within Lancaster County which have been contracted to dispose of the materials and wastes used or generated on-site as identified in Section 525.2. The zoning permit for this use shall remain valid only so long as such contracts remaining in effect and all materials and wastes are properly disposed of on a regular basis. Should the nature of the commercial or industrial use change in the future, such that the materials used or wastes generated changes significantly either in type or amount, the owner shall so inform the Zoning Officer, and shall provide additional evidence demonstrating continued compliance with the requirements of this section.

- 4. The provision of parking and loading in accordance with Sections 412 and 413 of this Ordinance.
- 5. A traffic study prepared by a professional traffic engineer, according to Section 420 of this Ordinance. Such study shall demonstrate that the proposed use will generate only that traffic normally generated by the type of use or that any abnormal traffic generated will not threaten safety.

525.6. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 526 Intensive Produce Operations and Intensive Livestock Operations**

526.1. Within the A Zone, intensive produce operations, as defined in Section 112, herein and intensive livestock operations, as defined in Section 112, herein are permitted by special exception subject to the following criteria:

526.2. Minimum Lot Area - Fifty (50) acres. **(Amended by Ordinance 2015-03)**

526.3. Maximum Permitted Lot Coverage - Thirty percent (30%), including all impervious surfaces, for intensive produce operations and sixty percent (60%), including all impervious surfaces, for intensive livestock operations.

526.4. If applicable, the applicant shall submit written evidence that the proposed use has a nutrient management plan, approved by the appropriate regulatory agencies. All subsequent operations and activities shall be conducted in accordance with such plans. If at any time, the nutrient management plan is amended, the applicant must again submit written evidence of plan approval to the Zoning Officer.

526.5. The applicant shall furnish evidence from the Lancaster County Conservation District that the proposed use has an approved conservation plan. All subsequent operations and activities shall be conducted in accordance with such conservation plan. If, at any time, the conservation plan is amended, the applicant must again furnish evidence from the Lancaster County Conservation District that the amended plan has been approved.

- 526.6. The applicant shall abide by, and demonstrate a working knowledge of, those methods that will be employed to comply with the above-required nutrient management plan and conservation plan.
- 526.7. If greenhouses, or other buildings with substantially clear or translucent surfaces, are used, all artificial lighting used for growing must be screened from adjoining roads or properties between the hours of official sunset to official sunrise. Any other lighting on the site shall be designed and arranged so as not to cast glare on adjoining roads or properties.
- 526.8. Any exhaust or ventilation fans employed shall be oriented and directed away from the closest residence that is not that of the operator. If said fans are within one thousand (1,000) feet of the closest subject property line, then the applicant shall construct a dispersion buffer. Such dispersion buffer shall include a landscaped berm that will effectively disperse or redirect fan exhaust so that no direct exhaust velocity is perceptible at any of the subject property lines.
- 526.9. Any driveway or access drive providing for vehicular access to the proposed use shall be paved and shall maintain a fifty (50) foot wide radius for all turns and intersections.
- 526.10. Any on-site waste storage facilities shall comply with the requirements of Section 201.6.2 of this Ordinance.
- 526.11. While an intensive produce operation, or intensive livestock operation, exists, no subdivision or land development that would create an additional principal dwelling unit shall be permitted on the subject property, except that subject to the limitations of Sections 201.6.2 and 201.7, additional dwellings may be created for family members of the farm owner or for someone who is involved in the day-to-day farm operations.
- 526.12. The applicant shall submit an analysis of raw water needs (groundwater or surface water) from either private or public sources, indicating quantity of water required.

In addition, if the facility is to rely upon non-public sources of water, a water feasibility study will be provided to enable the municipality to evaluate the impact of the proposed development on the groundwater supply and on existing wells. The purpose of the study will be to determine if there is an adequate supply of water for the proposed development to estimate the impact of the new development on existing wells in

the vicinity. The water feasibility shall be reviewed by the municipal engineer.

An intensive produce operation, or intensive livestock operation, shall not be approved by the Township when the proposed water system cannot provide an adequate supply of water for the proposed development, considering both quantity and quality, or does not provide for adequate groundwater recharge, considering the water withdrawn by the proposed intensive produce operation, or intensive livestock operation.

A water feasibility study shall include the following information:

1. Calculations of the projected water needs.
2. A geologic map of the area with a radius of at least one mile from the site.
3. The location of all existing and proposed wells within one thousand (1,000) feet of the site, with a notation of the capacity of all high-yield wells.
4. The location of all existing on-lot sewage disposal systems within one thousand (1,000) feet of the site.
5. The location of all streams within one thousand (1,000) feet of the site and all known point sources of pollution.
6. Based on the geologic formation(s) underlying the site, the long-term safe yield shall be determined.
7. A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, streams, and the groundwater table.
8. A statement of the qualifications and the signature(s) of the person(s) preparing the study.

526.13. Should the proposed use require more than 100,000 gallons of water per day, the applicant shall furnish written evidence of approval from the Susquehanna Valley River Basin Commission.

526.14. All intensive produce operations must comply with the applicable storm water management regulations of the Drumore Township Stormwater Management Ordinance.

- 526.15. The applicant shall be required to submit a written qualified plan for the removal of all buildings and the reclamation of all topsoil in the event of discontinuance of the intensive produce operation. If the site is graded during construction and operation of the intensive produce operation, or intensive livestock operation, all topsoil shall remain on the site in a manner which makes it conveniently accessible for reclamation. Should the applicant not adequately guarantee the removal of such buildings and reclamation of topsoil upon discontinuance of the intensive produce operation, or intensive livestock operation, at his/her expense, the conditional use shall be denied.
- 526.16. The site shall include one (1) off-street parking space for each employee during the largest work shift.
- 526.17. No retail sales shall be permitted on the site, except for roadside stands as permitted by Section 201.5.3
- 526.18. For intensive produce operations all buildings and storage/processing structures shall be set back at least one hundred and fifty (150) feet from adjoining roads and properties, and all off-street parking and loading spaces, outdoor storage areas and dumpsters shall be set back at least one hundred (100) feet and screened from adjoining roads and properties. For intensive livestock operations, all buildings and storage/processing structures shall be set back at least two hundred (200) feet from adjoining roads and properties, and all off-street parking and loading spaces, outdoor storage areas and dumpsters shall be set back at least one hundred (100) feet and screened from adjoining roads and properties. **(Amended by Ordinance 2015-03 dated May 7, 2015)**
- 526.19. One (1) outdoor sign shall be permitted and shall otherwise conform to the provisions of Section 415, Outdoor Signs, herein. Such sign shall require a permit as set forth in Section 415.
- 526.20. Intensive produce operations and intensive livestock operations shall comply with all Commonwealth of Pennsylvania and/or federal standards, as required by the most recent published regulations. For a listing of some applicable regulations, see Section 418 of this Ordinance.

**Section 527 Junkyards**

- 527.1. Within the C/I Zone, junkyards are permitted by conditional use, subject to the following criteria:
- 527.2. Minimum Lot Area - Ten (10) acres.
- 527.3. The outdoor area devoted to the storage of junk shall be completely enclosed by an eight (8) foot high, sight-tight fence which shall be set back at least fifty (50) feet from all property lines and three hundred (300) feet from residentially-zoned and/or residentially used properties.
- 527.4. The setback area between the fence and the lot lines shall be continuously maintained in an all season groundcover and kept free of weeds and all scrub growth.
- 527.5. All completely enclosed buildings used to store junk shall be set back at least fifty (50) feet from all property lines.
- 527.6. No material may be stored or stacked so that it is visible from adjoining properties and roads.
- 527.7. Compliance with all additional Federal and State laws shall be required.
- 527.8. All junk shall be stored or arranged so as to permit access by fire-fighting equipment and to prevent the accumulation of water, and with no junk piled to a height greater than eight (8) feet.
- 527.9. No material shall be burned at any time.
- 527.10. Any junkyard shall be maintained in such a manner as to cause no public or private nuisance, nor to cause any offensive or noxious sounds or odors, nor to cause the breeding or harboring of rats, flies, or other vectors.
- 527.11. No junkyard shall be located on land with a slope in excess of five percent (5%).
- 527.12. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 528 Mini-Warehouses**

- 528.1. Within the C/I Zone, mini-warehouses, as defined in Section 112, herein are permitted by special exception, subject to the following criteria:
- 528.2. Parking shall be provided in accordance with the schedule listed in Section 412 of this Ordinance.
- 528.3. Parking shall be provided by parking/driving lanes adjacent to the buildings. These lanes shall be at least twenty-six (26) feet wide when storage units open onto one side of the lane only, and at least thirty (30) feet wide when storage units open onto both sides of the lane.
- 528.4. Required parking spaces may not be rented as, or used for, vehicular storage. However, additional external storage area may be provided for the storage of privately-owned travel trailers and/or boats, provided that such external storage area is screened from adjoining residentially-zoned and residentially used land and adjoining roads, and is located behind the minimum front yard setback line. This provision shall not be interpreted to permit the storage of partially dismantled, wrecked, or inoperative vehicles.
- 528.5. All storage shall be kept within an enclosed building except that the storage of flammable, highly combustible, explosive or hazardous chemicals shall be prohibited. Any fuel tanks and/or machinery or other apparatus relying upon such fuels shall be stored only in an external storage area as described above.
- 528.6. An on-site manager shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval and all applicable ordinances. Any dwelling for a resident manager shall comply with all of those requirements listed within the VR Zone, and shall be entitled to all residential accessory uses provided in this Ordinance.
- 528.7. Because of the danger from fire or explosion caused by the accumulation of vapors from gasoline, diesel fuel, paint, paint remover, and other flammable materials, the repair, construction, or reconstruction of any boat, engine, motor vehicle, or furniture is prohibited.

528.8. No door openings for any mini-warehouse storage unit shall be constructed facing any residentially-zoned or residentially used property.

528.9. Mini-warehouses shall be used solely for the dead storage of property. The following lists examples of uses expressly prohibited upon a mini-warehouse site:

1. Auctions, commercial wholesale or retail sales, or garage sales.
2. The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment.
3. The operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.
4. The establishment of a transfer and storage business.
5. Any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations;

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

528.10. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 529                      Manufactured Home Parks (Amended by Ordinance 2016-06 adopted April 7, 2016)**

529.1. Within the VR Zone, manufactured home parks are permitted by conditional use, subject to the following criteria:

529.2. Minimum Manufactured Home Park Area - Five (5) acres.

529.3. Maximum Density - Five (5) units per acre.

529.4. Minimum Manufactured Home Lot Area - Four thousand, two hundred and fifty (4,250) square feet.

- 529.5. Minimum Required Setbacks - Each manufactured home lot shall have a minimum front yard of thirty (30) feet, a minimum rear yard of twenty-five (25) feet, and two side yards of a minimum of ten (10) feet each. In no case shall the distance between any two manufactured homes be less than twenty-five (25) feet (these setbacks shall also apply to manufactured home park office, service, utility, or other buildings).
- 529.6. Manufactured home parks shall be limited to sites having direct access to an arterial road.
- 529.7. The applicant shall furnish evidence that an approved means of sewage disposal and water supply shall be used.
- 529.8. Each manufactured home shall be placed in accordance with the Uniform Construction Code (UCC) Act 45.
- 529.9. Each manufactured home shall be provided with a minimum of two (2) paved parking spaces containing at least one hundred eighty (180) square feet of bituminous or concrete surface, which shall be located on the manufactured home lot. In addition a minimum of one-half (0.5) additional off-street parking spaces per unit shall be provided in a common visitor parking compound(s). Such visitor parking compounds shall be sized, arranged, and located so that the spaces are within three hundred (300) feet walking distance to any unit served. Access to all parking spaces shall be limited to interior roads of the manufactured home park; in no case shall access to such parking spaces be provided from adjoining public roads.
- 529.10. Interior manufactured home park roads shall be constructed according to Section 411 of this Ordinance and the Drumore Township Subdivision and Land Development Ordinance. **(Amended by Ordinance 2016-06 adopted April 7, 2016)**
- 529.11. Individual manufactured home owners may install exterior patio areas. Any such patio areas so installed shall not intrude into any required front, side, or rear yard, and shall substantially conform in style, quality, and color to the existing manufactured homes. Attachments to manufactured homes in the form of sheds and lean-to's are prohibited. No storage sheds shall be erected on any lot. All such outdoor storage shall be provided in the form of a common storage facility(s).
- 529.12. Every manufactured home park shall contain a structure designed and clearly identified as the office of the manufactured home park manager.

- 529.13. Service and accessory buildings intended solely for the use of manufactured home park residents and which are shown on an approved plan may be erected in a manufactured home park.
- 529.14. All manufactured home parks shall provide sidewalks permitting pedestrian access between individual manufactured homes, service and accessory buildings.
- 529.15. There shall be a minimum of twenty-five percent (25%) of the gross acreage of the manufactured home park devoted to active and/or passive common recreational facilities. Responsibility for maintenance of the recreational areas shall be with the landowner and/or operator. Should the landowner and/or the operator neglect to maintain the designated recreational areas, as depicted on the plan, the Township may then maintain said areas and assess the landowner for any costs incurred.
- 529.16. All manufactured home parks shall be provided with a perimeter landscape buffer strip that is at least fifty (50) feet wide. Such width shall be measured from adjoining property and rights-of-way lines. All landscaping required by this Section shall be designed and installed in accordance with the provisions of Section 414 of this Ordinance.
- 529.17. A visual screen shall be placed along the manufactured home park boundaries that adjoin other residentially-zoned properties. Such screen can consist of sight-tight fencing, vegetative materials, or earthen berms that are so arranged to effectively block the views from ground level on adjoining properties. Screening shall be provided between ground level and at least a height of six (6) feet. If sight-tight fencing is used, it shall not encompass more than fifty percent (50%) of the total surface area of the required screen. All landscaping required by this Section shall be designed and installed in accordance with the provisions of Section 414 of this Ordinance.
- 529.18. All individual manufactured home yard maintenance shall be provided by the manufactured home park owner and/or operator.

**Section 530 Multiple-Family Dwellings**

- 530.1. Within the VR Zone, multiple-family dwellings are permitted by conditional use, subject to the following:

- 530.2. Minimum Lot Area - Two (2) acres.
- 530.3. Maximum Density - Four (4) dwelling units per acre.
- 530.4. Minimum Lot Width - One hundred fifty (150) feet at the lot frontage and two hundred (200) feet at the building setback line.
- 530.5. Maximum Lot Coverage - Sixty percent (60%).
- 530.6. Minimum Required Setbacks - All structures and dumpsters shall be set back at least fifty (50) feet from every property line. Off-street parking and loading shall be set back at least twenty-five (25) feet from every property line. Interior building setbacks shall be as follows:
1. Front to front, rear to rear, or front to rear, parallel buildings shall have at least sixty (60) feet between faces of the building. If the front or rear faces are obliquely aligned, the above distances may be decreased by as much as ten (10) feet at one end if increased by similar or greater distance at the other end.
  2. A minimum yard space of thirty (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 twenty (20) feet.
  3. A minimum yard space of forty (40) feet is required between end walls and front or rear faces of buildings.
- 530.7. The applicant shall furnish evidence that a community water supply and community sewage disposal system shall be used.
- 530.8. At least fifty percent (50%) of any multiple-family dwelling development site shall be devoted to common open space. Such required open space shall be in addition to any dedicated parklands and/or fees-in-lieu thereof. The location, design, ownership and maintenance of such common open space shall be subject to the requirements of Section 419 of this Ordinance.
- 530.9. Multiple-family dwelling developments shall provide off street parking spaces at the rate of three (3) per dwelling unit. Such parking spaces can take the form of private garages and/or common parking lots, both of which must be within one hundred fifty (150) feet of the unit served.

**Section 531 Nightclubs**

- 531.1. Within the C/I Zone, nightclubs, as defined in Section 112, herein, are permitted by conditional use, subject to the following criteria:
- 531.2. No part of the subject property shall be located within two hundred (200) feet of any land within the RR, VR or VC Zones.
- 531.3. The applicant shall furnish evidence that the proposed use will not be detrimental to the use of adjoining properties owing to hours of operation, light and/or litter.
- 531.4. The applicant shall furnish evidence as to how the use will be controlled so as to not constitute a nuisance due to noise or loitering outside the buildings.
- 531.5. A working plan for the clean-up of litter shall be furnished and implemented by the applicant.
- 531.6. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 532 Nursing Homes, Rest or Retirement Homes, and Continuing Care Retirement Communities**

- 532.1. Within the VR Zone, nursing, rest or retirement homes are permitted by special exception, subject to the following criteria:
- 532.2. Minimum Lot Area - Two (2) acres.
- 532.3. The applicant shall furnish evidence that an approved means of sewage disposal and water supply shall be utilized.
- 532.4. Off-street parking lots and loading areas shall be screened from adjoining residentially-zoned or residentially used lands, in accordance with Section 414 of this Ordinance.
- 532.5. At least twenty percent (20%) of required parking spaces shall be designed for handicapped persons as prescribed in Section 412 of this Ordinance.
- 532.6. No more than twenty (20) care beds per acre shall be permitted.

532.7 An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 533 Principal Day-Care Centers**

533.1. Within the C/I Zone, principal day-care centers are permitted by right, subject to the following criteria:

533.2. An outdoor play area shall be provided, at a rate of sixty five (65) square feet per individual enrolled. Off-street parking compounds shall not be used as outdoor play areas. Outdoor play areas shall not be located within the front yard and must be set back twenty-five (25) feet from all property lines. Outdoor play areas shall be completely enclosed by a six (6) foot high fence, and screened from adjoining residentially-zoned properties. Any vegetative materials located within the outdoor play areas shall be of a non-harmful type (i.e. shall not be poisonous, thorny, allergenic, etc.). All outdoor play areas must provide a means of shade such as a shade tree(s) or pavilions(s).

533.3. The applicant shall furnish evidence that approved systems for sewage disposal and water supply will be utilized.

533.4. Enrollment shall be defined as the largest number of students and/or children under day-care supervision at any one time during a seven-day period.

533.5. Passenger “drop-off” and “pick-up” areas shall be provided on site and arranged so that the passengers do not have to cross traffic lanes on or adjacent to the site.

533.6. One (1) off-street parking space shall be provided for each six (6) students or fraction thereof enrolled.

533.7. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 534 Public and Private Schools**

534.1. Within the VR Zone, public and private schools are permitted by conditional use, subject to the following criteria:

- 534.2. All height, area, front yard setback, and coverage standards of the VR Zone shall apply.
- 534.3. Parking shall be provided in accordance with the schedule listed in Section 412 of this Ordinance.
- 534.4. All off-street parking lots shall be set back twenty-five (25) feet from adjoining property and street lines, and screened in accordance with Section 414 of this Ordinance.
- 534.5. All buildings shall be set back at least one hundred (100) feet from any adjoining land within a residential zone.
- 534.6. If education is offered below the college level, an outdoor play area shall be provided, at a rate of one hundred (100) square feet per individual enrolled. Off-street parking lots shall not be used as outdoor play areas. Outdoor play areas shall not be located within the front yard and must be set back twenty-five (25) feet from all property lines. Outdoor play areas shall be screened from adjoining residentially-zoned properties. Any vegetative materials located within the outdoor play area shall be of a non-harmful type (i.e. shall not be poisonous, thorny, allergenic, etc.). All outdoor play areas must provide a means of shade such as shade tree(s) or pavilion(s).  
  
Enrollment shall be defined as the largest number of students on the site at any one time during a seven-day period.
- 534.7. Passenger “drop-off” and “pick-up” areas shall be provided and arranged so that students do not have to cross traffic lanes on or adjacent to the site.
- 534.8. The applicant shall furnish evidence that approved systems for sewage disposal and water supply will be utilized.
- 534.9. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 535                      Recycling Collection Facilities**

- 535.1. Within the C/I Zone, recycling collection is permitted by special exception, subject to the following criteria:
- 535.2. The facilities must be accessory to a public or nonprofit use.

- 535.3. The facilities must be sufficiently enclosed to prevent the scattering of debris.
- 535.4. Materials collected must be removed at regular intervals.
- 535.5. The facility shall be posted to prohibit the disposal of any material, good or furnishing that cannot be placed within the actual recycling bin.
- 535.6. The total size of the facility shall be less than three hundred (300) square feet.

**Section 536                      Recycling Stations**

- 536.1. Within the C/I Zone, recycling of paper, plastic, glass and metal products is permitted by special exception, subject to the following criteria:
- 536.2. All operations, including collection, shall be conducted within a completely enclosed building.
- 536.3. There shall be no outdoor storage of materials processed, used, or generated by the operation
- 536.4. The applicant shall explain the scope of operation, and offer expert testimony regarding the measures used to mitigate problems associated with noise, fumes, dust, and litter.
- 536.5. The applicant will be required to assure regular maintenance of the site to immediately collect stray debris.
- 535.6. An outdoor sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 537                      Retail Sale and/or Rental of Goods**

- 537.1. Within the VC Zone, the retail sale and/or rental of goods are permitted by special exception, subject to the following criteria:
- 537.2. Retail sale and/or rental businesses shall comprise less than two thousand (2,000) square feet.
- 537.3. Retail sale and/or rental of goods shall be limited to the following items:

1. Card, stationery, magazine, book, or newspaper shops, excluding adult-related items.
2. Prerecorded music, video, or spoken word products, excluding adult-related items.
3. Wine and cheese shops.
4. Sporting goods stores.
5. Musical instrument shops.
6. Tobacco and smoking accessories supplies.
7. Photographic, video, audio, and electronic components and accessories.
8. Clothing and shoe boutiques.
9. Flower, balloon and gift shops.
10. Jewelry, watches and clocks.
11. Art and drafting supplies and studios.
12. Computers, software and other office supplies.
13. Craft supplies; baskets, fabrics, and other notions.
14. Toy and hobby stores.
15. Telephone, vacuum cleaner and other small domestic appliance centers.
16. Prosthetic devices.
17. Perfumes, soaps, lotions, powers, and similar items.
18. Draperies, paint and wallpaper showrooms.
19. Bed and bath supplies.
20. Kitchenware, cookware and dinnerware.
21. Eyeglass and hearing aid showrooms and offices.

- 22. Drug stores.
- 23. Specialty food stores and grocerettes, excluding automobile filling facilities.
- 24. Religious articles and artifacts.

- 537.4. The applicant shall furnish evidence of an approved means of sewage disposal and water supply.
- 537.5. All parking/loading areas shall be located within the side or rear yards, shall be set back at least ten (10) feet from adjoining lots, and shall be screened from adjoining residential lots and streets.
- 537.6. One (1) outdoor sign, not exceeding nine (9) square feet in area and set back a minimum of ten (10) feet from all lot lines shall be permitted and shall otherwise conform to the provisions of Section 415, Outdoor Signs, herein. Such sign shall require a permit as set forth in Section 415.

**Section 538 Rural Occupations**

- 538.1. Within the A Zone, rural occupations are permitted by special exception, subject to the following criteria:
- 538.2. Only one (1) rural occupation may be conducted on the same property as the owner’s principal residence, and shall not exceed the area of the principal residence’s ground floor or one thousand (1,000) square feet, whichever is the lesser.
- 538.3. A rural occupation shall only be conducted within one completely-enclosed outbuilding that satisfies at least one (1) of the following:
  - 1. The building will remain the same size and in the same location as it existed on the effective date of this section; or
  - 2. The building is limited to one (1) story in height or twenty (20) feet, whichever is lesser, is located in the rear yard of the principal residence, and is set back at least fifty (50) feet from any side or rear lot lines. All applicants are required to design buildings that are compatible with their residential settings.

- 538.4. In no case shall any new rural occupation building be constructed before the owner resides on the subject property. In addition, rural occupations may only be conducted so long as the sole owner of the business resides on the site.
- 538.5. In no case shall the required maximum lot coverage be exceeded by those impervious surfaces associated with the principal residence, rural occupation and/or other accessory uses.
- 538.6. All off-street parking and loading spaces shall be screened from adjoining roads and properties.
- 538.7. Outdoor storage or display shall not be permitted, except that one (1) commercial truck of not more than eleven thousand (11,000) pounds gross vehicle weight may be parked behind the principal residence, so long as it is screened from adjoining roads and properties.
- 538.8. One (1) non-illuminated, neither internally nor externally, outdoor sign, not exceeding twelve (12) square feet in area and set back a distance at least equal to its height from every lot line shall be permitted, and shall otherwise conform to the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.
- 538.9. No rural occupation and its principal dwelling shall generate more than twenty (20) vehicle trips per day to or from the site. The applicant shall furnish testimony regarding the expected numbers of vehicle trips associated with the proposed use.
- 538.10. Vehicular access to the rural occupation shall be limited to the same driveway connection with the public street that serves the principal residence. No joint use driveways may serve rural occupations.
- 538.11. The maximum number of employees who do not reside on the site shall be equal to two (2) full-time positions. For the purposes of this section, "employees" shall be defined as those involved in the on-site conduct of the rural occupation.
- 538.12. Rural occupations shall only be conducted between the hours of 6 a.m. and 9 p.m. No rural occupation shall be conducted on Sundays.

- 538.13. No manufacturing, mechanical or industrial use shall be permitted which causes any noise, odor, glare, fume, smoke, dust, vibration, electromagnetic interference, or other hazard that is noticeable at or beyond the line of the nearest residential lot. No use that requires application or permitting by the PA DEP for the handling of hazardous waste or other substances shall be permitted, except for wastewater treatment.
- 538.14. Any area devoted to retail sales display shall be limited to twenty percent (20%) of the overall size of the rural occupation.
- 538.15. The applicant shall furnish evidence that an approved means of sewage disposal shall be utilized, and further that such means is part of the same system in use for the principal residence.
- 538.16. Evidence shall be provided indicating that the disposal of all materials and wastes will be accomplished in a manner that complies with State and Federal regulations. Such evidence shall, at a minimum, include copies of contracts with waste haulers licensed to operate within the County which have been contracted to dispose of the materials and wastes used or generated on-site or some other legal means of disposal. The building permit for this use shall remain valid only so long as such contracts remain in effect and all materials and wastes are properly disposed of on a regular basis. Should the nature of the farm occupation change in the future, such that the materials used or wastes generated changes significantly, either in type or amount, the owner of the farm operation shall so inform the Zoning Officer, and shall provide additional evidence demonstrating continued compliance with the requirements of this section.

**Section 539                    Septage and/or Solid Waste Disposal and Processing Facilities**

- 539.1. Within the C/I Zone, septage and or solid waste disposal and processing facilities are permitted by conditional use, subject to the following criteria:
- 539.2. Any processing of septage and/or solid waste (including but not limited to incineration, composting, shredding, compaction, material separation, refuse derived fuel, pyrolysis, etc.) shall be conducted within a completely enclosed building.
- 539.3. No refuse shall be deposited or stored, and no building or structure shall be located within two hundred (200) feet of any

property line, and five hundred (500) feet of any land within a residential zone or waters of the Commonwealth.

- 539.4. Any external area used for the unloading, transfer, storage, or deposition of refuse must be completely screened from view at the property line. The use of an earthen berm is encouraged where practicable. In addition, such areas must be completely enclosed by an eight (8) foot high fence, with no openings greater than two (2) inches in any direction.
- 539.5. The applicant must demonstrate compliance, through a written statement, and continue to comply with all applicable State and Federal standards and regulations.
- 539.6. The use shall be screened from all adjoining residentially-zoned and/or residentially used properties.
- 539.7. All uses shall provide sufficiently-long stacking lanes into the facility, so that vehicles waiting to be weighed will not back-up onto public roads.
- 539.8. All access drives onto the site shall be paved for a distance of at least two hundred (200) feet from the street right-of-way line. In addition, if portions of on-site access drives are unpaved, then a fifty (50) foot-long gravel section of driveway shall be placed just beyond the preceding two-hundred-foot paved section to help collect any mud that may have attached to a vehicle's wheels.
- 539.9. Access to the site shall be limited to those posted times when an attendant is on duty. In order to protect against the indiscriminate and unauthorized dumping, all areas of the site shall be protected by locked barricades, fences, gates or other positive means designed to deny access to the area at unauthorized times or locations.
- 539.10. Hazardous waste as described by the PA DEP shall not be disposed of within the proposed area.
- 539.11. Litter control shall be exercised to prevent the scattering of wind-borne debris, and a working plan for the cleanup of litter shall be submitted to the Township.
- 539.12. The unloading, processing, transfer, and deposition of septage and/or solid waste shall be continuously supervised by a qualified facility operator.

- 539.13. Any waste that cannot be used in any disposal process/or material that is to be recycled, shall be stored in leak- and vector-proof containers. Such containers shall be designed to prevent their being carried by wind or water. These containers shall be stored within a completely-enclosed building.
- 539.14. All storage of septage and/or solid waste shall be indoors in a manner that is leak-proof and vector-proof. During normal operation, no more solid waste shall be stored on the property than is needed to keep the facility in constant operation but, in no event, for more than seventy-two (72) hours.
- 539.15. A contingency plan, for the disposal of solid waste during a facility shut-down, shall be submitted to the Township.
- 539.16. Leachate from the septage and/or solid waste shall be disposed of in a manner in compliance with any applicable State and Federal laws or regulations. If leachate is to be discharged to a municipal sewage facility, pre-treatment shall be required and appropriate permits shall be obtained from the applicable agencies and authorities. In no event shall leachate be disposed of in a storm sewer, to the ground, or in any other manner inconsistent with the Department of Environmental Protection regulations.
- 539.17. All structures shall be set back at least a distance equal to their height.
- 539.18. The applicant shall submit an analysis of raw water needs (groundwater or surface water) from either private or public sources, indicating quantity of water required.

In addition, a water feasibility study will be provided to enable the municipality to evaluate the impact of the proposed development on the groundwater supply and on existing wells. The purpose of the study will be to determine if there is an adequate supply of water for the proposed development and to estimate the impact of the new development on existing wells in the vicinity. The water feasibility shall be reviewed by the municipal engineer.

A water system which does not provide an adequate supply of water for the proposed development, considering both quantity and quality, or does not provide for adequate groundwater recharge, considering the water withdrawn by the proposed development, shall not be approved by the municipality;

A water feasibility study shall include the following information:

1. Calculations of the projected water needs.
2. A geologic map of the area with a radius of at least one mile from the site.
3. The location of all existing and proposed wells within 1,000 feet of the site, with a notation of the capacity of all high-yield wells.
4. The location of all existing on-lot sewage disposal systems within 1000 feet of the site.
5. The location of all streams within 1,000 feet of the site and all known point sources of pollution.
6. Based on the geologic formation(s) underlying the site, the long-term safe yield shall be determined.
7. A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, streams, and the groundwater table.
8. A statement of the qualifications and the signature(s) of the person(s) preparing the study.

539.19. The applicant shall provide an analysis of the physical conditions of the primary road system serving the proposed use. The analysis shall include information on the current traffic flows on this road system, and projections of traffic generated by the proposed use. Improvements to the road shall be provided by the applicant to insure safe turning movements to and from the site and safe through-movement on the existing road.

539.20. A minimum one hundred (100) foot wide landscape strip shall be located along all property lines. No structures, storage, parking, or any other related activity or operation shall be permitted within this landscape strip. Any fences or other screening erected on the site must not be located within this landscape strip.

539.21. Any sanitary landfill must be owned and operated by the Township or its authority.

**Section 540 Shooting Ranges**

- 540.1. Within the C/I Zone, a shooting range is permitted by special exception, subject to the following criteria:
- 540.2. Shooting Range Operations -
1. May not substantially injure or detract from the lawful existing or permitted use of neighboring properties.
  2. May not substantially damage the health, safety or welfare of the Township or its residents and property owners.
  3. Must comply with all applicable State and local laws, rules and regulations regarding the discharge of a firearm.
  4. Shall limit the storage of ammunition to only that utilized for each day's activity, and in no event shall ammunition remain on the property for greater than twenty-four (24) hours. The storage of live ammunition may only occur indoors in an area secured from general access.
  5. Shall limit the number of shooters to the number of firing points or stations identified on the development plan.
  6. Shall require all shooters to satisfactorily complete an orientation safety program given in accordance with the National Rifle Association before they are allowed to discharge firearms.
- 540.3. All firing ranges shall be completely enclosed within a building designed to preclude the transmission of sound and the passage of projectiles to the outside.
- 540.4. All shooting range facilities, including buildings and parking, shall be set back a minimum of one hundred (100) feet from all property lines and street right-of-way lines.
- 540.5. Off-street parking facilities shall be provided with a ratio of one and one-half (1½) spaces per firing station, but not less than one (1) space for each four (4) seats.
- 540.6. No part of a shooting range property shall be located within one-quarter (¼) mile of any land within a residential zone.

- 540.7. The consumption of alcoholic beverages on the premise containing a shooting range is prohibited.

### **Section 541 Shopping Centers**

- 541.1. Within the C/I Zone, shopping centers may be permitted by conditional use, subject to the following:
- 541.2. Minimum Lot Size - Three (3) acres.
- 541.3. Minimum Lot Width - Two hundred (200) feet.
- 541.4. Maximum Lot Coverage - Seventy percent (70%).
- 541.5. Maximum Gross Floor Area – The gross leasable floor area within a shopping center, regardless of the number of buildings, shall not exceed one hundred thousand (100,000) square feet.
- 541.6. The subject property shall front on an arterial or collector road, and all access drives shall be set back at least two hundred (200) feet from the intersection of any street right-of-way lines.
- 541.7. A minimum of four and one half (4.5) off-street parking spaces shall be provided for each one thousand (1,000) square feet of gross leasable floor area. This parking requirement is also subject to the permitted reduction described in Section 412 of this Ordinance. A maximum of 0.5 off-street parking spaces per one thousand (1,000) square feet of gross leasable floor area may, at the discretion of the Board of Supervisors, be pervious.
- 541.8. All parking lots shall be constructed and maintained with a paved surface of concrete or bituminous materials.
- 541.9. The applicant shall furnish evidence that an approved means of sewage disposal and water supply shall be used.
- 541.10. A traffic study shall be submitted by the applicant, in accordance with Section 420 of this Ordinance. Such study shall demonstrate that the proposed use will generate only that traffic normally generated by the type of use or that any abnormal traffic generated will not threaten safety.
- 541.11. A sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

- 541.12. Landscaping, screening and buffering shall be provided in accordance with the provisions of Section 414, herein.
- 541.13. Outdoor lighting shall be provided in accordance with the provisions of Section 428, herein.

**Section 542                      Spent Mushroom Compost Processing and/or Commercial Mushroom Operations**

- 542.1. Within the A Zone, spent mushroom compost processing and/or commercial mushroom operations are permitted by special exception, subject to the following criteria:
- 542.2. Any processing, loading, storage, and packaging operations must be conducted within a completely-enclosed building that is leak-proof and vector-proof.
- 542.3. The applicant must demonstrate compliance, through a written statement, and continue to comply with all applicable State and Federal standards and regulations.
- 542.4. The use shall be screened from all roads and adjoining properties, if located closer than two hundred (200) feet from a property line.
- 542.5. All uses shall provide sufficiently-long stacking lanes into the facility, so that vehicles waiting to be weighed or loaded/unloaded will not back-up onto public roads.
- 542.6. All driveways onto the site must be paved for a distance of at least one hundred (100) feet from the street right-of-way line. In addition, a fifty (50) foot-long gravel section of driveway shall be placed just beyond the preceding one-hundred (100) foot paved section to help collect any mud that may have attached to a vehicle's wheels.
- 542.7. The unloading, processing and transfer, of spent mushroom compost shall be continuously supervised by a qualified facility operator.
- 542.8. Any leachate shall be disposed of [in a manner] in compliance with any applicable State and Federal laws or regulations. If leachate is to be discharged to a municipal sewage facility, appropriate permits shall be obtained from the applicable agencies and authorities. In no event shall leachate be disposed

of in a storm sewer, to the ground, or in any other manner inconsistent with the PA DEP regulations.

- 542.9. The applicant shall submit an analysis of raw water needs (groundwater or surface water) from either private or public sources, indicating quantity of water required.

In addition, a water feasibility study will be provided to enable the municipality to evaluate the impact of the proposed development on the groundwater supply and on existing wells. The purpose of the study will be to determine if there is an adequate supply of water for the proposed development and to estimate the impact of the new development on existing wells in the vicinity. The water feasibility shall be reviewed by the municipal engineer. A water system which does not provide an adequate supply of water for the proposed development, considering both quantity and quality, or does not provide for adequate groundwater recharge considering the water withdrawn by the proposed development shall not be approved by the municipality.

A water feasibility study shall include the following information

1. Calculations of the projected water needs.
2. A geologic map of the area with a radius of at least one mile from the site.
3. The location of all existing and proposed wells within 1,000 feet of the site and all known sources of pollution.
4. Based on the geologic formation(s) underlying the site, the long-term safe yield shall be determined.
5. A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, streams, and the groundwater table. [; and,]
6. A statement of the qualifications and the signature(s) of the person(s) preparing the study.

- 542.10 A minimum one hundred (100) foot wide buffer strip shall be located along all property lines. No structures, storage, parking, or any other related activity or operation shall be permitted within this buffer strip. Any fences or other screening erected on the site must not be located within this buffer strip.

- 542.11. The applicant shall provide an analysis of the physical conditions of the primary road system serving the proposed use. The

analysis shall include information on the current traffic flows on this road system and projections of traffic generated by the proposed use. Improvements to the road shall be provided by the applicant to insure safe turning movements to and from the site and safe through-movement on the existing road.

- 542.12. Any structure used for the storage, loading, processing and/or packaging of spent mushroom compost shall be set back at least one hundred (100) feet from all property lines, and five hundred (500) feet from any residentially-zoned or residentially used properties. In addition, any ventilation outlets must be oriented away from any land within an adjoining residential zone.

**Section 543                      Temporary Farm Employee Housing**

- 543.1. Within the A Zone, temporary farm employee housing shall be permitted by special exception, subject to the following standards:
- 543.2. For each farm, one (1) manufactured home is permitted for the use of farm workers, and their families, who are employed by the owner of the farm, for such time as the employee works the land of the owner.
- 543.3. All manufactured homes shall comply with all setback requirements imposed upon single family detached dwellings; no manufactured home may be located within a front yard.
- 543.4. The applicant shall furnish evidence that an approved system of water supply and sewage disposal shall be utilized.
- 543.5. Such manufactured homes shall be anchored in accordance with the Uniform Construction Code (UCC) Act 45. Each manufactured home pad shall include properly-designed utility connections.
- 543.6. The manufactured home shall be occupied at least one hundred twenty (120) days a year by at least one person who is employed on the farm where the manufactured home is located. If this condition is not satisfied, the manufactured home shall be removed within one hundred twenty (120) days.
- 543.7. All temporary farm-employee housing is subject to approval by the Lancaster County Planning Commission as a land development or waiver thereto.

**Section 544                      Truck or Motor Freight Terminals**

- 544.1.                      Within the C/I Zone, truck or motor freight terminals are permitted by conditional use, subject to the following criteria:
- 544.2.                      Access shall be via an arterial road.
- 544.3.                      The applicant shall furnish a traffic study prepared by a professional traffic engineer, in accordance with Section 420 of this Ordinance. Such study shall demonstrate that the proposed use will generate only that traffic normally generated by the type of use or that any abnormal traffic generated will not threaten safety.
- 544.4                      A sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 545                      Two-Family Conversions**

- 545.1.                      Within the A Zone, a detached single-family dwelling that existed on the effective date of this Ordinance, and contained, at that time, at least two thousand five hundred (2,500) square feet, may be converted into two (2) dwelling units by conditional use, subject to the following:
- 545.2.                      The applicant shall furnish evidence that an approved system of water supply and sewage disposal will be utilized.
- 545.3.                      No extensions or modifications to the external appearance of the building, except fire escapes, which would alter its residential character shall be permitted.
- 545.4.                      All floors shall have direct means of escape.
- 545.5.                      Four (4) off-street parking spaces shall be provided.

**Section 546                      Village Clusters**

- 546.1.                      Within the VR Zone, village cluster developments are permitted by conditional use, subject to the following criteria:
- 546.2.                      The minimum area devoted to a cluster development shall be five (5) acres.

- 546.3. All units contained within a cluster development shall be served by a community wastewater and community water supply facility. The Township shall require the establishment of a homeowners association to fund the operation and maintenance of such system.
- 546.4. At least fifty percent (50%) of the cluster development site shall be devoted to common open space. Such required common open space shall be in addition to any dedicated parklands, and/or fees-in-lieu thereof, and shall be governed by those regulations contained in Section 419 of this Ordinance.
- 546.6. A cluster development may include any combination of single-family detached dwellings, duplexes, townhouses, and apartments to be built at a maximum overall density of four (4) dwelling units per acre.
- 546.7. Parking shall be provided in accordance with the schedule listed in Section 412 of this Ordinance.
- 546.8. Table 5.1 and its footnotes list design standards for cluster developments that differ from those listed within the VR Zone.
- 546.9. Access Requirements - Village cluster development shall provide two (2) distinct means of access to the project site. Access to arterial roadways shall be prohibited.

Table 5.1

Permitted Dwelling Type	Maximum Density Units/Acre	Minimum Lot Width At Building Setback/(Frontage)		Maximum Lot Coverage	Minimum Yard Setbacks			
					Front <sup>4,5</sup>	One Side	Both Sides	Rear
Single-Family Detached	4	60 Ft.	(50 Ft.)	50%	25 Ft.	6 Ft.	12 Ft. <sup>1</sup>	20 Ft.
Duplex	4	45 Ft.	(40 Ft.) per unit	55%	25 Ft.	10 Ft. per unit		20 Ft.
Townhouse <sup>2</sup>	4	24 Ft.	(18 Ft.) per unit	60%	25 Ft.	15 Ft. end units		20 Ft.
Multiple-Family <sup>3</sup>	4	200 Ft.	(200 Ft.)	60%	50 Ft.	30 Ft.	60 Ft.	30 Ft.

<sup>1</sup> Within a cluster development, single-family dwellings may employ a side yard zero-lot-line design when the following conditions have been satisfied;

- a. The minimum lot width shall be forty five (45) feet and thirty five (35) feet at their building setback line and lot frontage, respectively.
- b. One side wall of the structure may be located no less than one inch from one of the side lot lines when adjoining another zero-lot-line dwelling lot. The opposite side yard shall be at least ten (10) feet wide.
- c. A perpetual six (6) foot wall-maintenance easement shall be provided on the lot adjacent to the zero-lot-line, which, with the exception of freestanding walls and/or fences, shall be kept clear of structures. This easement shall be shown on the plat and incorporated into each deed transferring title to the property. The wall shall be maintained in its original color and treatment, unless otherwise agreed to in writing by the two affected lot owners.
- d. Roof overhangs may penetrate the easement on the adjacent lot a maximum of 24 inches, but the roof shall be so designed that water runoff from the dwelling place on the lot line is limited to the easement area.
- e. The wall of a dwelling located along the zero-lot line shall have no openings (e.g., windows, doors, air conditioning units, vents, etc.), unless such openings are located at least eight (8) feet above grade, and have translucent panels.

<sup>2</sup>No townhouse building shall contain more than eight (8) units. For each townhouse building containing more than four (4) units, no more than sixty percent (60%) of such units shall have the same front yard setback; the minimum variation of setback shall be two (2) feet. In addition, no more than two (2) contiguous units shall have identical roof lines that generally parallel the ground along the same horizontal plane. All townhouse buildings shall be set back a minimum of fifteen (15) feet from any interior access drives or parking facilities contained on commonly-held lands. All townhouse buildings shall be set back at least thirty (30) feet from any perimeter boundary of the development site. In those instances where several townhouse buildings are contained upon the same lot, the standards listed in the following footnote 3 shall apply.

<sup>3</sup>In those instances where several buildings and/or townhouse buildings are located on the same lot, the following separation distances will be provided between each building:

- a. Front to front, rear to rear, or front to rear, parallel buildings shall have at least fifty (50) feet between faces of the building. If the front or rear faces are obliquely aligned, the above distances 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. A minimum yard space of thirty (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 twenty (20) feet.
- c. A minimum yard space of thirty (30) feet is required between end walls and front or rear faces of buildings.
- d. All multiple-family dwelling buildings shall be set back a minimum of fifteen (15) feet from any interior access drives or parking facilities contained on commonly-held lands.

<sup>4</sup>Minimum front yard setbacks shall be measured from the right-of-way line. However, if the property abuts an arterial road, the minimum front yard setback shall be forty (40) feet from the right-of-way line.

<sup>5</sup>Except for multiple-family dwellings, the minimum front yard setback for accessory residential garages shall be twenty (20) feet.

**Section 547 Vocational and Mechanical Trade Schools**

- 547.1. Within the C/I Zone, vocational and mechanical trade schools are permitted by special exception, subject to the following criteria:
- 547.2. Any maintenance, repair, rebuilding, testing or construction or mechanical devices shall be conducted within a completely enclosed building.
- 547.3. No outdoor storage shall be permitted.
- 547.4. Parking shall be provided in accordance with Section 412 of this Ordinance.
- 547.5. The applicant shall furnish evidence that approved systems of sewage disposal and water supply will be utilized.
- 547.6. All ventilation outlets shall be located at least one hundred (100) feet and oriented away from adjoining residentially-zoned or residentially used properties.
- 547.7. A sign(s) shall be permitted only in conformance with the provisions of Section 415, Outdoor Signs, herein. Such sign(s) shall require a permit as set forth in Section 415.

**Section 548 Hunting Preserves**

- 548.1. Within the A Zone, hunting preserves are permitted by conditional use, subject to the following criteria:
- 548.2. Hunting of animals of the cervidae family only shall be permitted.
- 548.3. The minimum area of a lot upon which a hunting preserve is permitted shall be fifty (50) acres.
- 548.4. The hunting preserve shall be fully enclosed by a fence that will prevent the escape of animals and prevent the unauthorized admittance of people and animals. The fence shall be a minimum of eight (8) feet in height. The fence shall not be closer than one thousand (1,000) feet from a road right-of-way or a lot used for residential, educational or religious purposes.

- 548.5. Signs, advising that the area is a hunting preserve, shall be posted and maintained along the entire boundary of the hunting preserve. Such signs shall comply with the following:
- A. The signs shall be placed a minimum of five hundred (500) feet apart.
  - B. The signs shall be a minimum of one hundred and sixty (160) square inches in area.
  - C. The signs shall be constructed of wood, steel, aluminum or heavy poly-plastic material.
  - D. The signs shall be a white and red color combination with the message "Hunting Preserve".
- 548.6. The applicant for a hunting preserve shall comply with all applicable state and federal regulations.
- 548.7. Hunters shall be physically present on the hunting preserve to hunt. No remote or video hunting shall be permitted.
- 548.8. Hunting shall only be permitted between dawn and dusk and no hunting shall be permitted on Sunday.
- 548.9. The "driving" of animals and the use of hunting dogs shall not be permitted.
- 548.10. Hunting stands shall face the interior of the hunting preserve.
- 548.11. All hunters shall wear hunting-appropriate Orange to and from hunting stands.
- 548.12. No more than four (4) hunters (persons carrying a firearm) at one time shall be permitted.
- 548.13. Youth hunters shall be permitted subject to the following:
- A. The minimum age to hunt shall be 9 years.
  - B. Youth (under 16 years of age) hunters shall have participated in a hunter safety course to ensure the safe use of firearms.
  - C. Youth (under 16 years of age) hunters shall be accompanied by an adult (age 21 and older) at all times.

- D. When moving between stands and walking on the hunting preserve grounds, all firearms shall be carried by an adult (age 21 and older).

**Section 549**

**Commercial Windmills**

Commercial windmills, as defined herein, shall be permitted by conditional use in the C/I, Commercial/Industrial, Zone subject to the following provisions:

- 1. The application for a conditional use permit for a commercial windmill shall be prepared by a professional engineer registered in the Commonwealth of Pennsylvania and shall include the following:
  - A. Name and address of the applicant and evidence that the applicant is the owner of the subject property or has written permission of the owner to make such application.
  - B. Name and address of the professional engineer responsible for preparation of the application and plans.
  - C. A development plan in sufficient detail to describe the following:
    - (1) Physical dimensions of the property, existing structures and proposed structures.
    - (2) Location of existing and proposed structures.
    - (3) Location of electrical lines and facilities.
    - (4) Existing topography.
    - (5) Proposed grading and removal of vegetation.
    - (6) Wind resource study as required in Section 549.4.2.A.
    - (7) Setbacks

- (8) Ingress and egress and an indication of the location and distance to the nearest public road.
- D. A description of the access route from the nearest public road to include:
  - (1) The road surface material stating the type and amount of the surface cover.
  - (2) The width and length of the access route.
  - (3) Dust control procedures.
  - (4) A road maintenance schedule or program.
- E. Current and proposed use(s) of the subject property.
- F. Utility interconnection data and a copy of written notification to the utility of the proposed interconnection.
- G. Specific information of the type, size, height, rotor material, rated power output, performance, safety, and noise characteristics of each windmill model, tower and electrical transmission equipment.
- H. A soil boring report as described in Section 549.2.N. **(Amdended by Ordinance 2012-1)**
- I. A location map to scale of all dwellings within a two (2) miles of the boundary of the property upon which the windmills are to be located.
- J. One or more computer or photographic simulation drawings of the site fully developed with all proposed windmills and accessory structures.
- K. A copy of written notification to the Federal Aviation Administration.

- L. A copy of written notification to the operator of any microwave communications link that is within two (2) miles of the subject site.
  - M. An application that includes any windmills proposed to be located within a 100-year floodplain shall be accompanied by a detailed report that addresses the potential for wind erosion, water erosion, sedimentation and flooding and which shall propose mitigation measures for such impacts.
2. Windmills and anemometer towers shall comply with the following standards:

A. Sufficient Wind Resources

The proposed site shall have documented annual wind resources sufficient for the proposed generating facility. No wind turbine generator shall be approved without submission of a wind resource study documenting wind resources on the site over a minimum of two (2) years. The study shall indicate the long-term economic viability of the project. Anemometers shall be calibrated regularly to ensure a measurement of error of one percent (1%) or less. All anemometers shall be placed at the expected hub height of the wind turbine to be used. Sufficient wind resources, as described by the U.S. Department of Energy, include areas with wind power of class 4 or higher. The Township shall retain, at the applicant's expense, the services of an independent recognized expert to review the results of the wind resource study prior to acting on the application for conditional use.

B. Minimum Site Area

The minimum site area for a windmill or an anemometer tower erected prior to erection of a windmill shall be twenty (20) acres and shall comply with all required setbacks and any other standards of this Ordinance.

### C. Setbacks

Each proposed windmill or anemometer tower shall comply with the following setback requirements:

- (1) Each windmill shall be set back from all property lines a minimum of twenty six hundred (2,600) feet. The Board of Supervisors may reduce such setback to not less than twenty one hundred (2,100) feet based upon data provided by the applicant and prepared by a professional engineer registered in the Commonwealth of Pennsylvania.
- (2) Each windmill shall be set back from all road rights-of-way a minimum distance equal to six (6) times the height, as defined herein, of the windmill.
- (3) For any newly proposed windmill or anemometer tower, a "wind access buffer" equal to a minimum of five (5) rotor diameters shall be observed from any existing off-site windmill.
- (4) Sensitive environmental areas, as determined by the Board of Supervisors, shall have a setback of between two (2) and five (5) miles.
- (5) Scenic areas, including parks and recreational areas, as determined by the Board of Supervisors, shall have a setback of not less than one (1) mile.

### D. Maximum Height

The maximum windmill or anemometer height from the base to the tip of the blade at its highest point shall not exceed two hundred (200) feet. The Board of Supervisors may approve an increased height for a windmill, not to exceed two hundred and sixty (260) feet from the base to the tip of the blade at its highest point, if in compliance with both of the following conditions:

- (1) The increased height will result in the preservation of a substantial stand of trees, existing landforms or structures that would otherwise be removed to increase wind velocity.
- (2) The increased height will not result in increased intensity of lighting of the tower due to Federal Aviation Administration requirements.

E. Minimum Rotor Wind Vane or Blade Clearance

The lowest point of the arc created by rotating wind vanes or blades on a windmill shall be no less than forty (40) feet measured from the highest point of the terrain within one blade radius from the base of the tower.

F. Maximum Noise Levels

The audible noise level due to windmill operations shall not exceed, at the boundary of the subject site, forty (40) dB(A) for more than five (5) minutes in any one (1) hour time period or exceed forty five (45) dB(A) for any time period.

A commercial windmill facility shall not be operated so that impulsive sound below twenty (20) Hz adversely affects the habitability or use of any dwelling unit, hospital, school, library, nursing home, or other sensitive noise receptor.

G. Maximum Vibrations

Any proposed windmill shall not produce vibrations humanly perceptible beyond the boundaries of the subject property.

H. Endangered or Threatened Species

Development and operation of a commercial windmill facility shall not have a significant adverse impact on endangered or threatened wildlife, fish, or plant species or their critical habitats, or other significant habitats identified by the Pennsylvania Department of Environmental Protection and/or the U.S. Fish and Wildlife Service. Commercial windmill facilities shall comply with the guidelines established by the U.S. Fish and Wildlife Service "Guidelines to Avoid and Minimize Wildlife Impacts from Wind Turbines", Federal Register: July 10, 2003 (Volume 68, Number 132).

I. Migratory Birds

Development and operation of a commercial windmill facility shall not have an adverse impact on migratory bird species.

J. Electrical Transmission Lines

The electrical transmission lines connecting the windmill to the utility electricity distribution system shall be located underground.

K. Electromagnetic Interference

Any windmill facility shall be constructed and operated so that no interference with television, telephone (including cellular and land line), microwave, navigational, or radio reception to neighboring areas shall be produced.

The applicant and/or operator of the facility shall be responsible for the full cost of any remediation necessary to correct any problems, including relocation or removal of the facility, caused or exacerbated by the operation of such equipment and any and all related transmission lines, transformers, and other components related thereto.

The applicant for a commercial windmill shall pay for testing of the above reception of all properties determined by the Board of Supervisors prior to construction and will pay to correct reception for landowners for degradation of signals.

L. Landscaping

Each proposed windmill, or anemometer tower erected prior to a windmill, shall comply with the following landscaping requirements:

- (1) The base of the windmill, or anemometer tower erected prior to a windmill, and all other facilities shall be landscaped with a ten (10) foot buffer strip of plant materials that effectively screens the view of the bases and other facilities from adjacent property used for residential purposes.
- (2) Existing natural vegetation and landforms which effectively screen the base of the windmill, or anemometer tower erected prior to a windmill and all other facilities, from adjacent property used for residential purposes shall be preserved to the maximum extent possible.
- (3) Landscaping shall be designed to counter the effects of "shadow flicker" on any neighboring residences or roadways caused by the rotor rotation in the sunlight.
- (4) To ensure compliance with these landscaping standards, the Board of Supervisors may require additional landscaping after the installation of the windmill or anemometer tower.

M. State and Federal Requirements

Any proposed windmill or anemometer tower shall comply with any standards or requirements of the Federal Aviation Administration, the Pennsylvania Public Utility Commission, The U.S. Fish and Wildlife Service, and any other agency of the state or federal government with the authority to regulate windmills or other structures in effect at the time the conditional use is approved.

N. Soil Conditions

A proposal for any windmill or anemometer tower shall be accompanied by a soils report prepared by a firm specializing in soils analysis. The report shall include the soils and geologic characteristics of the site. The results of the soil borings and the proposed plans for the tower foundations shall be certified by a professional engineer registered in the Commonwealth of Pennsylvania. The applicant shall provide a cash bond in an amount equal to fifty percent (50%) of the cost of the foundation to assure that the foundation will be removed in the event the tower is removed.

O. Aesthetics and Lighting

Any proposed windmill or anemometer tower shall comply with the following requirements:

- (1) Each windmill or anemometer tower shall either maintain a galvanized steel finish or be painted a neutral color so as to reduce visual obtrusiveness and shall be so maintained in continuous compliance with this section and to prevent any visible oxidation or corrosion.
- (2) Each windmill, including all accessory structures, or anemometer tower, shall, to the extent possible, use materials and colors that will blend into the natural setting and surrounding physical environment.

- (3) Each windmill or anemometer tower shall not be artificially lighted, unless required by the Federal Aviation Administration, or other governmental authority. If lighting is required, the lighting design shall comply with the following:
- (a) The lighting shall be the lowest intensity allowable under the Federal Aviation Administration regulations.
  - (b) The lighting shall not be strobe lighting or other intermittent white fixtures, unless expressly required by the Federal Aviation Administration.
  - (c) The lighting shall be a non-pulsating or non-blinking red top light.
  - (d) All tower lighting required by the Federal Aviation Administration shall be shielded to the extent possible and acceptable to the Federal Aviation Administration to reduce glare and visibility from the ground.
  - (e) Each windmill or anemometer tower shall be sited in a location that reduces to the maximum extent possible any adverse impacts on view sheds from adjacent properties.
  - (f) Each windmill or anemometer tower shall be a monopole or monotube style construction and shall not utilize guy wires.

P. Signs

A sign no more than four (4) square feet in area displaying an address and toll-free telephone number, answered by a person twenty four hours per day and seven days per week, for emergency calls and informational inquiries shall be posted at the windmill or anemometer tower site. No windmill or anemometer tower or site for such facilities shall include any advertising sign.

Q. Hazard Planning

A conditional use application for a commercial windmill shall be accompanied by a hazard prevention plan. Such plan shall address, at a minimum, the following:

- (1) Certification that the electrical wiring between windmills and between windmills and the utility right-of-way does not pose a fire hazard shall be signed by a professional engineer registered in the Commonwealth of Pennsylvania.
- (2) Certification that the landscape plan accompanying the application is designed to avoid the spread of fire from any source on the windmill signed by a landscape architect registered in the Commonwealth of Pennsylvania.
- (3) A listing of any hazardous substances that may be used on site.
- (4) Certification that the windmill has been designed to contain any hazardous fluids, signed by a professional engineer registered in the Commonwealth of Pennsylvania.
- (5) A statement certifying that the windmill shall be routinely inspected to ensure that no fluids are released or leaked from the windmill or any other equipment or appurtenances on the site.

- (6) A hazardous materials waste plan, in compliance with all federal, state and county laws and regulations. Approval by all of the above governmental entities shall be a condition of approval of a conditional use permit. Furthermore, approvals or waivers, by the Department of Environmental Protection and/or the Army Corps of Engineers shall be submitted prior to the issuance of any permit.

R. Removal of Abandoned Windmills or Anemometer Towers

Any windmill or anemometer tower that is not operated for a continuous period of nine (9) months shall be considered abandoned, and shall be removed within ninety (90) days of receipt of notice from the Township. In addition, the site shall be restored to its original condition prior to the location of the windmill or anemometer tower. Any foundation associated with a windmill or anemometer tower shall be completely removed and the site restored to its original state including the planting of grasses or other cover crops, which may have been present prior to construction. Any and all transmission equipment, buildings and fences shall be removed. Failure to remove an abandoned windmill, anemometer tower and other related structures and equipment within the ninety (90) day period shall be grounds for the Township to remove the windmill, anemometer tower and all associated structures and equipment at the owner's expense.

The applicant for a commercial windmill conditional use permit shall post a cash bond equal to fifty percent (50%) of the original cost of the windmill, anemometer tower and associated structures and equipment to ensure the removal of abandoned windmill sites and the remediation of any toxic or hazardous materials left on the site. This shall include the bond required under Section 549.4.2.N, above.

S. Payment of Consultant Fees

The applicant for a windmill conditional use permit shall deposit with the Township, at the time of application, the sum of ten thousand dollars (\$10,000.00), as partial payment for Township expenses in hiring consultants and experts as the Board of Supervisors deem desirable for application and plan review. At any time the balance of this fund shall fall below five thousand dollars (\$5,000.00) the applicant shall submit an additional sum to bring the account to the original ten thousand dollars (\$10,000.00). If at any time the balance of the fund shall fall below five thousand dollars (\$5,000.00) for a period of thirty (30) days, the application shall be considered to have been withdrawn.

T. An applicant shall comply with the Uniform Construction Code Act 45 (UCC), as amended for commercial windmills, in addition to the requirements of this Section. In the event of a conflict between the provisions of this Section and the UCC, the UCC requirements shall control.

U. Zone Restrictions

Commercial windmills, anemometers and associated structures and equipment shall be permitted only in the C/I, Commercial/Industrial Zone for a period of twenty (20) years.

**Section 550 Adult Related Facilities**

- 550.1. Within the C/I Zone, adult related facilities are permitted by conditional use, subject to the following criteria:
- 550.2. An adult related facility shall not be located within 1,000 feet of any other adult related facility;
- 550.3. No adult related facility shall be located within 1,000 feet of any dwelling;

- 550.4. No adult related facility shall be located within 1,000 feet of any parcel of land which contains any one or more of the following specified land uses:
  - 1. Amusement Park
  - 2. Child Care Facility
  - 3. Church or other similar activity
  - 4. Community Center
  - 5. Park
  - 6. Playground
  - 7. School;
  
- 550.5. No materials, merchandise, or video offered for sale, rent, lease, loan, or for view upon the premises shall be exhibited or displayed outside of a building or structure;
  
- 550.6. Any building or structure used and occupied as an adult related facility shall be windowless, or have an opaque covering over all windows or doors of any area in which materials, merchandise, or video are exhibited or displayed, and no materials, merchandise, or video shall be visible from outside the building or structure;
  
- 550.7. No sign shall be erected upon the premises pictorially depicting or giving a visual representation of the type of merchandise offered therein;
  
- 550.8. Each entrance to the premises shall be posted with a notice specifying that persons under the age of 18 years old are not permitted to enter therein and warning all other persons that they may be offended upon entry;.
  
- 550.9. No adult related facility may change to another adult related facility, except upon approval of an additional conditional use;
  
- 550.10. The use shall not create an enticement for minors because of its proximity to nearby uses where minors may congregate;
  
- 550.11. No unlawful sexual activity or conduct shall be permitted; and,
  
- 550.12. No more than one (1) adult related facility may be located within one building or shopping center.

**Section 551                      Principal Anaerobic Digesters**

- 551.1.                      Within the A Zone, principal anaerobic digesters are permitted by conditional use, subject to the following criteria:
- 551.2.                      Minimum Lot Area – 40 acres.
- 551.3.                      Design and Installation Guidelines - Principal Anaerobic Digesters shall comply with the requirements of Section 429.5.3.
- 551.4.                      A traffic study shall be submitted by the applicant, in accordance with Section 420 of this Ordinance. The study shall also specifically address vehicle weights and the impact on roadways within the study area. In addition, the study shall ensure adequate queuing lengths so that traffic does not stack onto the adjoining roadway. The study shall be reviewed and approved by the Township Engineer.
- 551.5.                      The applicant shall provide a detailed description of the proposed use that outlines the following:
  - 1.                      The nature of the on-site activities and operations, the type of materials stored and used, the frequency and duration period of storage of materials and the methods for use and disposal of materials. In addition the applicant shall furnish evidence that the use, handling, and disposal of materials will be accomplished in a manner that complies with State and Federal regulations.
  - 2.                      The general scale of operation in terms of its market area, specific space and area requirements for each activity, the total number of employees of each shift, and an overall needed site size.
- 551.6                      The Board of Supervisors may attach conditions to protect nearby properties, to preserve the intent of the zoning ordinance and/or to protect general public welfare.

**Section 552                    Natural Gas Compressor Stations (Amended by Ordinance 2015-03 adopted May 7, 2015)**

Within the A Zone, Natural Gas Compressor Stations are permitted by conditional use, subject to the following criteria:

- 552.1                    Minimum Lot Area - Twenty (20) acres.
- 552.2                    To minimize impacts of on-going compressor station noise on surrounding land uses, a compressor station shall not be located any closer than five (5) miles to another existing or proposed compressor station.
- 552.3                    Compressors and other power driven equipment shall utilize electric motors rather than internal combustion engines. No electric power shall be generated on-site, excepting, portable electric generation equipment which shall be permitted only when the equipment is located within a completely enclosed building.
- 552.4                    Compressors shall be limited to five (5) electric powered compressors. One (1) internal combustion engine may be utilized as a back-up, if requested and approved by the Board of Supervisors through the Conditional Use process.
- 552.5                    All principal buildings and accessory structures shall be set back at least five hundred (500) feet from any property line.
- 552.6                    All noise generating equipment and processes shall be contained within a completely enclosed acoustical rated building with concrete flooring. Windows and doors shall remain closed during operations.
- 552.7                    The building housing the compressors and all noise producing equipment, the ventilation system, and all pipes and supporting structures both inside and outside the building shall be sound-proofed as necessary to meet the maximum allowed noise at the property line as specified in Section 552.8.

552.8 Prior to the conditional use approval for a compressor station, the applicant shall establish the ambient noise for a continuous seventy-two (72) hour time span which shall include at least one twenty-four (24) hour reading during either Saturday or Sunday. The testing times, dates and location on the boundary of the subject property are subject to the prior approval of the Board of Supervisors.

The testing shall be done by a qualified Noise Control Engineer or other qualified person approved by the Township and in accordance with the most current American National Standard Specification for Sound Level Meters and noise control industry best practices.

The applicant shall provide the Township documentation, satisfactory in form and substance to the Township, of the established ambient noise level. The Township reserves the right to hire a third party consultant to witness testing and review the results. The third party costs shall be borne by the applicant and reimbursed to the Township.

Between the hours of 7 AM and 7 PM local time, the maximum allowable noise at the property line shall be the lesser of 50 dB(A) or the Ambient Noise Level, as determined by the procedures specified hererin, plus 5 dB(A).

Between the hours of 7 PM and 7 AM local time, the maximum allowable noise at the property line shall be the lesser of 45 dB(A) or the Ambient Noise Level, as determined by the procedures specified herein, plus 3 dB(A).

552.9 The Compressor Station shall be screened as described in Section 414.7.4 of this Ordinance in such manner necessary to screen buildings, structures, parking areas, storage areas and equipment.

552.10 The location and design of the structures and site improvements shall be integrated with the natural color, form and texture of the surrounding area.

- 552.11 No outside storage of equipment or surplus materials, including the placement of permanent or moveable storage container, or other portable equipment shall be stored on the facility.
- 552.12 The Operator shall maintain at the property and on file with the Township Fire Department and Township Emergency Management Coordinator all material safety data sheets (MSDSs) for all hazardous materials produced, stored, distributed or used on site.
- 552.13 The Operator shall provide a yearly site orientation and training program for Township's emergency first responders regarding operations, equipment and chemicals present at the facility. All cost relating to the yearly program shall be the responsibility of the Operator.
- 552.14 The Operator shall provide the name, address, and phone number for 24 hour emergency contact.
- 552.15 Heavy truck traffic traveling to and from the compressor station shall be permitted only between the hours of 7:00am to 7:00pm, local time. Emergency vehicles and field maintenance vehicles are exempted from this limitation.
- 552.16 Tracking of mud, dirt and debris onto Township streets shall be minimized. Measures shall be taken to clean any mud, dirt and debris from Township streets within a reasonable time.
- 552.17 The Operator shall demonstrate continued compliance with all applicable local, State and Federal permits and regulations including, but not limited to, the Pennsylvania Uniform Construction Code 35 PS 7210.101 to 7210.1103 and the Drumore Township Stormwater Management Ordinance.
- 552.18 No person shall place, deposit, discharge or cause to be placed, deposited or discharged any oil, petroleum, asphalt, tar, hydrocarbon substance or any refuse including wastewater or brine from any natural gas processing facility or the contents of any container used in connection with any natural gas processing facility into, or upon any public right-of-way, alley,

street, lot, storm drain, ditch or sewer, sanitary drain, lake, pond, creek or similar body of water or any private property without permits from the appropriate regulatory agencies.

- 552.19 The site shall be secured by a minimum eight (8) foot high chain link fence with a locking gate that shall be kept locked when employees are not on the premises.
- 552.20 Exterior lighting shall comply with Section 428.
- 552.21 Compressor stations shall not be subject to the parking requirements of Section 412; however, an adequate area improved with a dust-free all-weather surface shall be provided on the site for parking maintenance vehicles during routine visits.
- 552.22 The zoning officer/code enforcement officer or duly authorized Township Official may enter the premise or structure during normal business hours to verify or enforce provisions of this ordinance and the Conditional Use approval. If premise is unmanned, or if there is reasonable cause to believe a condition exists on the premise which violates the ordinance constituting an unsafe condition, access shall be granted within twenty-four hours of notification to the Operator/Applicant.
- 552.23 If any section, subsection, sentence, clause or phrase, or portion of this document is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion thereof.