

TOWNSHIP OF WEST COCALICO

Lancaster County, Pennsylvania

ORDINANCE NO. 134

AN ORDINANCE TO AMEND THE WEST COCALICO TOWNSHIP ZONING ORDINANCE, CHAPTER 27 OF THE CODE OF ORDINANCES, TO ADD TO AND AMEND DEFINITIONS, PROVIDE FOR CERTAIN USES BY SPECIAL EXCEPTION IN CERTAIN ZONING DISTRICTS, TO APPLY THE STANDARDS FOR MOBILE HOME PARKS TO MANUFACTURED HOME PARKS, AND TO MAKE OTHER EDITS FOR THE PURPOSE OF PROVIDING CONSISTENCY.

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

Section 1. The West Cocalico Township Zoning Ordinance, Chapter 27 of the West Cocalico Township Code of Ordinances, Part 2, Definitions, Section 27-202, Terms, shall be amended by amending the definitions for "Concentrated animal feeding operations" and "Concentrated animal operations" as follows:

Concentrated animal feeding operation (CAFO) – an agricultural operation that meets the criteria established by the Department of Environmental Protection under authority of the Act of June 22, 1937, P.L. 1987, No. 394, known as the "Clean Streams Law," 35 P.S. § 691.1 *et seq.*

Concentrated animal operation (CAO) – an agricultural operation that meets the criteria established by the State Conservation Commission in regulations under the authority of Chapter 5 of the Agricultural Code, 3 Pa.C.S. § 501 *et seq.*, (relating to nutrient management and odor management) in 25 Pa.Code, Chapter 83, Subchapter D (relating to nutrient management).

Section 2. The West Cocalico Township Zoning Ordinance, Chapter 27 of the West Cocalico Township Code of Ordinances, Part 2, Definitions, Section 27-202, Terms, shall be

amended by removing the definition for "Commercial recreation facility" and adding the following definitions in alphabetical order:

Accessory farm dwelling – a permanent second dwelling on a farm having as its occupant(s) (1) an owner, (2) one or more full-time laborers, (3) or any family member of an owner or full-time laborer on the farm.

Car wash – any premises used for the washing and/or cleaning of motor vehicles, boats, trailers and accessories.

Combined indoor/outdoor commercial recreation facility – a gainful activity or business, open to the public for the purpose of public recreation or entertainment, in which activities are predominately conducted within a closed structure with limited activities conducted outdoors.

Indoor commercial recreation facility – a gainful activity or business, open to the public for the purpose of public recreation or entertainment, in which all activities are contained within a closed structure, including, but not limited to, bowling alleys, motion picture theaters, health clubs, etc...

Outdoor commercial recreation facility – a gainful activity or business, open to the public for the purpose of public recreation or entertainment, in which all activities are conducted outdoors, including, but not limited to, golf courses, ski resorts, batting cages, paintball areas, etc...

Temporary farm employee housing – a mobile home structure located on a farm for use as living quarters for employees of the owner(s) of the farm and the families of such employees.

Section 3. The West Cocalico Township Zoning Ordinance, Chapter 27 of the West Cocalico Township Code of Ordinances, Part 4, ES – Ecologically Sensitive District, Section 27-403, Special Exceptions, shall be amended by adding Subsections P and Q as follows:

P. Beekeeping.

Q. Horticulture.

Section 4. The West Cocalico Township Zoning Ordinance, Chapter 27 of the West Cocalico Township Code of Ordinances, Part 5, A-1 – Agricultural District, Section 27-503, Special Exceptions, shall be amended by adding Subsections O through T as follows:

O. Beekeeping.

P. Grain storage/commercial feed mill.

Q. Horticulture.

R. Manure storage facility.

S. Quarrying.

T. Heliport.

Section 5. The West Cocalico Township Zoning Ordinance, Chapter 27 of the West Cocalico Township Code of Ordinances, Part 6, A-2 – Agricultural District, Section 27-603, Special Exceptions, shall be amended by adding Subsections R through V as follows:

R. Beekeeping.

S. Grain storage/commercial feed mill.

T. Horticulture.

U. Manure storage facility.

V. Heliport

Section 6. The West Cocalico Township Zoning Ordinance, Chapter 27 of the West Cocalico Township Code of Ordinances, Part 7, OS – Woodland District, Section 27-703, Special Exceptions, shall be amended by adding Subsections R through T as follows:

R. Beekeeping.

S. Horticulture.

T. Outdoor commercial recreation facility.

Section 7. The West Cocalico Township Zoning Ordinance, Chapter 27 of the West Cocalico Township Code of Ordinances, Part 9, VC – Village Center District, Section 27-903, Special Exceptions, shall be amended by amending Subsection G and adding Subsections Y through BB as follows:

G. Apartment house (or apartment building) with centralized water and centralized sewer.

Y. Combined indoor/outdoor commercial recreation facility.

Z. Indoor commercial recreation facility.

AA. Grain storage/commercial feed mill.

BB. Parking garage.

Section 8. The West Cocalico Township Zoning Ordinance, Chapter 27 of the West Cocalico Township Code of Ordinances, Part 10, VR - Village Residential District, Section 27-1002, Permitted Uses, shall be amended by amending Subsection G as follows:

G. Apartment house (or apartment building).

Section 9. The West Cocalico Township Zoning Ordinance, Chapter 27 of the West Cocalico Township Code of Ordinances, Part 11, SR – Special Residential District, Section 27-1103, Special Exceptions, shall be amended by adding Subsection G as follows:

G. Manufactured home park, subject to the standards found in Part 16 of this Chapter.

Section 10. The West Cocalico Township Zoning Ordinance, Chapter 27 of the West Cocalico Township Code of Ordinances, Part 12, I-C – Industrial/Commercial District, Section 27-1203, Special Exceptions, shall be amended by adding Subsections M through BB as follows:

M. Airport

N. Agricultural sciences support operation.

O. Car wash.

P. Combined indoor/outdoor commercial recreation facility.

Q. Indoor commercial recreation facility.

R. Garage, community.

S. Group facilities.

T. Industrial activities involving processing, production, repair, or testing of materials, goods, and/or products, involving those industries primarily performing conversion, assembly or nontoxic chemical operations.

U. Industrial uses other than those permitted under Section 27-1202.

V. Junkyard.

W. Laboratories for scientific or industrial research and development.

X. Parking garage.

Y. Recycling center.

Z. Attached and semi-detached buildings in an Industrial/Commercial district.

AA. Commercial school.

BB. Solid waste disposal and processing facilities.

Section 11. The West Cocalico Township Zoning Ordinance, Chapter 27 of the West Cocalico Township Code of Ordinances, Part 16 shall be amended by amending the heading of the Part from "Mobile Home Parks" to "Mobile Home Parks/Manufactured Home Parks" and by substituting all words "mobile home park" and "mobile home parks" with "mobile home park/manufactured home park" and "mobile home parks/manufactured home parks" respectively, and substituting all words "mobile home" and "mobile homes" with "mobile home/manufactured home" and "mobile homes/manufactured homes" respectively.

Section 12. The West Cocalico Township Zoning Ordinance, Chapter 27 of the West Cocalico Township Code of Ordinances, Part 23, Criteria for Special Exceptions and Other Selected Uses, Section 27-2305, Criteria for Specific Uses, shall be amended by amending Subsection E(1) as follows:

(1) Airports and heliports shall be permitted by special exception in the I-C Industrial/Commercial District as combined or separate uses. Heliports, alone are permitted by special exception in the A-1 and A-2 – Agricultural District.

Section 13. The West Cocalico Township Zoning Ordinance, Chapter 27 of the West Cocalico Township Code of Ordinances, Part 23, Criteria for Special Exceptions and Other Selected Uses, Section 27-2305, Criteria for Specific Uses, shall be amended by amending the heading of Subsection W as follows:

W. Commercial Recreation Facilities (including combined indoor/outdoor commercial recreation facilities, indoor commercial recreation facilities and outdoor commercial recreation facilities).

Section 14. The West Cocalico Township Zoning Ordinance, Chapter 27 of the West Cocalico Township Code of Ordinances, Part 23, Criteria for Special Exceptions and Other Selected Uses, Section 27-2305, Criteria for Specific Uses, shall be amended by amending Subsection ZZ(6) (a) as follows:

(6) *Accessory Farm Dwelling.*

(a) Accessory farm dwellings shall be permitted by special exception in the E-S, A-1, A-2 and O-S Districts. For the purposes of this Chapter, an accessory farm dwelling is a permanent second dwelling having as its occupant(s) (1) and owner, (2) one or more full-time laborers, (3) or any family member of an owner or full-time laborer on the farm. No more than one accessory farm dwelling shall be permitted on a farm.

Section 15. All other sections, parts and provisions of the West Cocalico Township Zoning Ordinance, Chapter 27 of the West Cocalico Township Code of Ordinances, shall remain in full force and effect as previously enacted and amended.

Section 16. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of the Board of Supervisors that the remainder of the Ordinance shall be and shall remain in full force and effect.

Section 17. This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of the Township of West Cocalico as provided by law.

DULY ORDAINED AND ENACTED this 4th day of May, 2017, by the Board of Supervisors of the Township of West Cocalico, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF WEST COCALICO
Lancaster County, Pennsylvania

Attest: Len S. Eley
(Assistant) Secretary

By: James J. Harey
(Vice) Chairman
Board of Supervisors

[TOWNSHIP SEAL]