

**ORDINANCE 2021 - 04**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF MANHEIM TOWNSHIP – 2014, AS AMENDED, TO MODIFY ARTICLE V. DEFINITIONS, TO MODIFY ARTICLE VI, AGRICULTURAL DISTRICT, TO MODIFY ARTICLE VII, R-1 RESIDENTIAL DISTRICT, TO MODIFY ARTICLE VIII, R-2 RESIDENTIAL DISTRICT, TO MODIFY ARTICLE IX, R-3 RESIDENTIAL DISTRICT, TO MODIFY ARTICLE X, INSTITUTIONAL DISTRICT, TO MODIFY ARTICLE XI, B-1 BUSINESS DISTRICT, TO MODIFY ARTICLE XII, B-2 BUSINESS DISTRICT, TO MODIFY ARTICLE XIII, B-3 BUSINESS DISTRICT, TO MODIFY ARTICLE XIV, B-4 BUSINESS DISTRICT, TO MODIFY ARTICLE XV, I-1 INDUSTRIAL DISTRICT, TO MODIFY ARTICLE XVI, I-2 INDUSTRIAL DISTRICT, TO MODIFY ARTICLE XVII, I-3 INDUSTRIAL DISTRICT, TO MODIFY ARTICLE XXII, GENERAL, TO MODIFY ARTICLE XXV, PERFORMANCE REGULATIONS AND TO MODIFY ARTICLE XXVI. TRANSFER OF DEVELOPMENT RIGHTS (TDR)**

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

**SECTION 1.** The Zoning Ordinance of Manheim Township – 2014, as amended, Article V, Section 502. shall be amended as follows:

Section 502.4. shall be deleted in its entirety and replaced with the following:

The word "person" includes a partnership, firm, association, corporation, organization, trust, estate, company or any other legally recognized entity as well as an individual and the officers of any corporation and the members of any partnership and shall include both singular and plural.

Section 502.5. shall be amended to include the words “; the word may is discretionary” at the end of the sentence.

Section 502.7. shall be added as a new section, as follows:

Terms not defined in this Ordinance, in such other ordinances, or in § 107 of the MPC shall have the meaning assigned to them in the most recent edition of Merriam-Webster’s Collegiate Dictionary.

**SECTION 2.** The Zoning Ordinance of Manheim Township – 2014, as amended, Article V, Section 503. shall be amended to revise definitions as follows:

AGRICULTURAL OPERATION to include the word “hydroponics” between the words “silvicultural” and “and aquacultural”.

AGRICULTURE to delete and replace the definition with the following:

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

AQUACULTURE to add a new definition as follows:

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

DENSITY, RESIDENTIAL GROSS to include the words “but not limited to” between the words “including” and “rights-of-way”, to delete the word “and” between the words “open space” and “public or semipublic” and to include the words “and floodplain boundaries” at the end of the definition.

DENSITY, RESIDENTIAL NET to include the words “and the area within the floodplain boundary except where authorized by Section 2403.3.” at the end of the definition.

FARM to include “ten” before the number “10” and to include the number 10 in “( )”.

FARM DWELLING to replace the words “of the date of the enactment of this ordinance” with “of December 10, 1990”.

FARM OCCUPATION to include the word “RELATED” between the words “FARM” and “OCCUPATION”. The words “An accessory use” shall be replaced with “A small business, accessory” and “and which does not change the character of the property or surrounding areas” shall be included at the end of the definition.

HYDROPONICS - to add a new definition as follows:

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

LOT AREA, NET to include the words “or floodplain” between the words “right-of-way” and “but including”.

NORMAL FARMING OPERATIONS to delete the word “and” between the words “silvicultural” and “aquacultural” and include the words “and hydroponic” between the words “aquacultural” and “crops and commodities”.

OUTDOOR HYDRONIC HEATER” to replace Subsection A with “Is designed to burn fuel consistent with PADEP regulations;” and to delete the word “normally” in Subsection B.

VETERINARY OFFICE, LARGE ANIMAL- to add a new definition as follows:

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

**SECTION 3.** The Zoning Ordinance of Manheim Township – 2014, as amended, Article VI, shall be amended as follows:

Section 601.2. by including the statement “The agricultural zone is also intended to be a “sending area” for the transferable development rights as outlined in Article 26 of this Ordinance.”

Section 602. Uses Permitted by Right shall be deleted in its entirety and replaced with the following:

The following uses are permitted by right:

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

Section 603.1 through Section 603.4 shall be deleted and replaced with the following:

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

Section 604. CONDITIONAL USES shall be deleted in its entirety and replaced with the following:

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

1. Farm related occupations.
2. Elementary schools with classes only through grade eight, a total enrollment of no more than 50 children, and which serve the farming community.

3. Agricultural composting operations.
4. Agritourism enterprises.
5. Aquaculture enterprises.
6. Riding schools and stables.
7. Large animal veterinary office.
8. Wind energy systems as an accessory use on the farm.

Section 605.2.A. shall be amended to include the word “or” between the words “Agricultural” and “forestry”.

Section 605.2.A.(4).[a].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete the word “/or”.

Section 605.2.A.(4).[b].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete the word “/or”.

Section 605.2.A.(4).[c].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete the word “/or”.

Section 605.2.A.8. shall be deleted.

Section 605.2.C. shall be replaced with “Horticultural or hydroponic uses: Horticultural or hydroponic uses shall comply with the requirements of Section 2503.”

Section 605.2.C.(4).[a].[i] shall be amended to delete the words “Dwellings shall comply with the requirements of” and include the word “See” before “Section”.

Section 605.2.E. shall be amended to include the words “the requirements of” between the words “comply with” and “Section 2516”.

605.3.A. shall be amended to include the number “2” after the word “two”, to include “forty” before the number “40”, to include ‘()’ around the number 40 and to add “or conversion to a two-unit dwelling” at the end of the sentence.

Section 605.3.B. shall be amended to include “twenty” before the number “20”, to include “( )” around the number “20” and to include “or attached” between the words “detached” and “dwelling”.

Section 605.3.D. shall be amended as follows:

To delete the words “this ordinance” and to include “enactment of Ordinance 1990-25, dated December 10, 1990” between the words “date of” and “Regardless” in the first sentence.

To delete the words “on the effective date of the ordinance and to include “as of December 10, 1990” between the words “legally existing” and “shall be bound” in the second sentence.

To include “detached” between the words “single-family” and dwellings” in the second sentence.

Section 605.3.E. shall be amended to include “detached” between the words “single-family” and “dwelling” and to include “conversion of a farm house into a two-unit dwelling or the creation of an accessory dwelling unit” between the words “dwelling” and on a tract” in the first sentence.

Section 605.3.F. shall be amended to include “or attached” between the words “single-family detached” and “dwelling”.

Section 605.3.M. shall be renumbered “N” and a new “M” shall be added as follows:

“One (1) transferable development right is required for any subdivision of land with the exception defined in Section 605.3.L. for the construction of a single family detached dwelling, conversion of a farm house into a two-unit dwelling or the creation of an accessory dwelling unit”.

Section 606. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY SPECIAL EXCEPTION, shall be deleted in its entirety and replaced with the following:

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

Section 607.1 shall be amended to include the word “related” between the words “Farm” and “occupation”.

Section 607.2.C. shall be amended to replace “square feet” with “floor area”.

Section 607.4. shall be amended to include the word “Section” between the words “the requirements of” and “2503.3”.

Section 607.5. shall be renumbered as Section 607.7.

Section 607.5 and Section 607.6 shall be added as follows:

5. Aquaculture enterprises. Such uses shall comply with the requirements of Section 2503.7.
6. Stables for boarding horses, riding schools and large animal veterinary offices:
  - (A) Minimum lot width:
    - [a] At street line: 100 feet.
    - [b] At front yard setback line: 100 feet.
  - (B) Minimum lot depth: 200 feet.
  - (C) Minimum yard dimensions:
    - [a] Front yard: 35 feet. (See Section 2213)
    - [b] Side yard, each side: 50 feet.
    - [c] Rear yard: 50 feet.
  - (D) Minimum open area: 75%.
  - (E) Landscaping and screening. (See Section 2512 and Section 2513)
  - (F) Such uses shall comply with the requirements of Section 2503.6.

**SECTION 4.** The Zoning Ordinance of Manheim Township – 2014, as amended, Article VII shall be amended as follows:

Revise “Uses Within Residential Districts” chart as follows:

Add “Horticulture, hydroponic” between the words “Agricultural” and “uses and necessary buildings”

Revise “Farm occupation” to include the word “related” between “Farm” and “occupation”.

Revise “Stables and kennels” to create a new line item for “Kennels” as a special exception in the R-1 District and revise “Stables” to read “Stables and riding schools” as a conditional use in the R-1 District.

Add Agritourism as a new line item as a conditional use in the R-1 District and R-2 District.

Add Large Animal Veterinary Facilities as a new line item as a conditional use in the R-1 District.

Section 702.1. shall be revised to include the words “alpaca, llamas, emus” between the words “cattle,” and “and other livestock” to delete the words “/or garden”, to include the words “ products produced on site and sold” between the words “of farm” and “on a retail basis” and to include the words “in accordance with Section 2503” at the end of the sentence.

Section 702.3 shall be removed in its entirety and replaced with “Horticultural and hydroponic uses, including temporary and permanent greenhouses related to the raising, propagating and selling of trees, shrubs, flowers and other vegetative material, and the sale of farm products produced on-site and sold in accordance with Section 2503.”

Section 703.1 shall be amended to remove “which existed at the date of...for access or for safety.”

Section 703.2 shall be deleted and replaced with “Kennels for boarding dogs and domestic animals.”

Section 704 shall replace “Conditional uses as follows:” with “The following uses are permitted by conditional use when authorized by the Board of Commissioners:”

Section 704.1 shall be revised to include the word “related” between the words “Farm” and “Occupation”.

Section 704.5 should be renumbered as 704.7.

Section 704.5 should be added “Agritourism”.

Section 704.6 should be added “Stables for boarding horses, riding schools and large animal veterinary office”.

Section 705.2.A. shall be amended to include the word “or” between the words “Agricultural” and “forestry”.

Section 705.2.A.(4) [a].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 705.2.A.(4).[b].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 705.2.A.(4).[c].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 705.2.C. shall be amended to include the words “or hydroponic” after the word “Horticulture” and to replace Section 2510 with Section 2503.

Section 706.2.A. should be revised to delete the words “Stables and”.

Section 706.2.E. shall be renumbered as Section 706.2.F and a new Section 706.2.E. shall be added as follows:

- F. Conversion of a single-family detached farm dwelling which existed at the date of enactment of Ordinance 1990-25, dated December 10, 1990:
  - (1) Conversion into a two-family dwelling.
  - (2) Lot Area: The lot shall contain a minimum of 20,000 square feet for each of the dwelling units when public sewer and water is provided. The minimum lot size shall be increased if public sewer or public water is not provided and subject to PADEP approval.
  - (3) Parking: Adequate off-street parking shall be provided in accordance with Article XX.
  - (4) An approved method of sewage disposal shall be installed or if one exists

verification that the system is functioning and adequate for the intended flows.

- (5) There shall be no extension of the building other than as may be required for access or for safety.

Section 707.1 shall be amended to include the word “related” between the words “Farm” and “occupation”.

Section 707.2 through Section 707.4 should be renumbered as Section 707.4 through Section 707.6.

Section 707.2 should be added as “Agritourism”. Such uses shall comply with the requirements of Section 2503.3”

Section 707.3 should be added as “Stables for boarding horses and large animal veterinary office:

- (A) Minimum lot width:
  - [a] At street line: 100 feet.
  - [b] At front yard setback line: 100 feet.
- (B) Minimum lot depth: 200 feet.
- (C) Minimum yard dimensions:
  - [a] Front yard: 35 feet. (See Section 2213)
  - [b] Side yard, each side: 50 feet.
  - [c] Rear yard: 50 feet.
- (D) Minimum open area: 75%.
- (E) Landscaping and screening. (See Section 2512 and Section 2513)
- (F) Such uses shall comply with the requirements of Section 2503.6.”

**SECTION 5.** The Zoning Ordinance of Manheim Township – 2014, as amended, Article VIII shall be amended as follows:

Revise “Uses Within Residential Districts” chart as follows:

Add “Horticulture, hydroponic” between the words “Agricultural” and “uses and necessary buildings”

Revise “Farm occupation” to include the word “related” between “Farm” and “occupation”.

Revise “Stables and kennels” to create a new line item for “Kennels” as a special exception in the R-1 District and revise “Stables” to read “Stables and riding schools” as a conditional use in the R-1 District.

Add Agritourism as a new line item as a conditional use in the R-1 District and R-2 District.

Add Large Animal Veterinary Facilities as a new line item as a conditional use in the R-1 District.



Section 802.1. shall be revised to include the words “horticulture, hydroponics” between the words “Agricultural” and “uses”, to include the words “alpaca, llamas, emus” between the words “cattle,” and “and other livestock” to delete the words “or garden”, to include the words “ products produced on site and sold” between the words “of farm” and “on a retail basis” and to include the words “in accordance with Section 2503” at the end of the sentence.

Section 803.3 shall be amended to remove “which existed at the date of...for access or for safety.”

Section 804 shall replace “Conditional uses as follows:” with “The following uses are permitted by conditional use when authorized by the Board of Commissioners:”

Section 804.5 shall be revised to include the word “related” between the words “Farm” and “Occupation”.

Section 804.6 should be renumbered as 804.7.

Section 804.6 should be added “Agritourism”.

Section 805.2.A. shall be amended to include the word “or” between the words “Agricultural and forestry”.

Section 805.2.A.(4).[a].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 805.2.A.(4).[b].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 805.2.A.(4).[c].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 806.H. should be added as follows:

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

- (1) Conversion into a two-family dwelling.
- (2) Lot Area: The lot shall contain a minimum of 20,000 square feet for each of the dwelling units when public sewer and water is provided. The minimum lot size shall be increased if public sewer or public water is not provided and subject to PADEP approval.
- (3) Parking: Adequate off-street parking shall be provided in accordance with Article XX.
- (4) An approved method of sewage disposal shall be installed or if one exists verification that the system is functioning and adequate for the intended flows.

- (5) There shall be no extension of the building other than as may be required for access or for safety.

Section 807.5 shall be amended to include the word “related” between the words “Farm” and “occupation”.

Section 807.6 shall be added “Agritourism. Such uses shall comply with the requirements of Section 2503.3.

**SECTION 6.** The Zoning Ordinance of Manheim Township – 2014, as amended, Article IX shall be amended as follows:

Revise “Uses Within Residential Districts” chart as follows:

Add “Horticulture, hydroponic” between the words “Agricultural” and “uses and necessary buildings”

Revise “Farm occupation” to include the word “related” between “Farm” and “occupation”.

Revise “Stables and kennels” to create a new line item for “Kennels” as a special exception in the R-1 District and revise “Stables” to read “Stables and riding schools” as a conditional use in the R-1 District.

Add Agritourism as a new line item as a conditional use in the R-1 District and R-2 District.

Add Large Animal Veterinary Facilities as a new line item as a conditional use in the R-1 District.

Section 902.1. shall be revised to include the words “horticulture, hydroponics” between the words “Agricultural” and “uses”, to include the words “alpaca, llamas, emus” between the words “cattle,” and “and other livestock” to delete the words “or garden”, to include the words “ products produced on site and sold” between the words “of farm” and “on a retail basis” and to include the words “in accordance with Section 2503” at the end of the sentence.

Section 904 shall replace “Conditional uses shall be as follows:” with “The following uses are permitted by conditional use when authorized by the Board of Commissioners:”

Section 905.2.A. shall be amended to include the word “or” between the words “Agricultural” and “forestry”.

Section 905.2.A.(4).[a].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 905.2.A.(4).[b].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 905.2.A.(4).[c].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

**SECTION 7.** The Zoning Ordinance of Manheim Township – 2014, as amended, Article X shall be amended as follows:

Section 1002.1. shall be revised to include the words “horticulture, hydroponics” between the words “Agricultural” and “uses”, to include the words “alpaca, llamas, emus” between the words “cattle,”

and “and other livestock” to delete the words “or garden”, to include the words “ products produced on site and sold” between the words “of farm” and “on a retail basis” and to include the words “in accordance with Section 2503” at the end of the sentence.

Section 1004 shall replace “Conditional uses as follows:” with “The following uses are permitted by conditional use when authorized by the Board of Commissioners:”

Section 1005.2.A. shall be amended to include the word “or” between the words “Agricultural” and “forestry”.

Section 1005.2.A.(4).[a].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 1005.2.A.(4).[b].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 1005.2.A.(4).[c].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

**SECTION 8.** The Zoning Ordinance of Manheim Township – 2014, as amended, Article XI shall be amended as follows:

Revise “Uses Within Business Districts” chart to include “horticulture, hydroponic” between the words “Agricultural” and “uses and necessary buildings”.

Section 1102.1. shall be revised to include the words “horticulture, hydroponics” between the words “Agricultural” and “uses”, to include the words “alpaca, llamas, emus” between the words “cattle,” and “and other livestock”, to delete the words “or garden”, to include the words “ products produced on site and sold” between the words “of farm” and “on a retail basis” and to include the words “in accordance with Section 2503” at the end of the sentence.

Section 1104 shall replace “Conditional uses as follows:” with “The following uses are permitted by conditional use when authorized by the Board of Commissioners:”

Section 1105.2.A. shall be amended to include the word “or” between the words “Agricultural” and “forestry”.

Section 1105.2.A.(4).[a].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 1105.2.A.(4).[b].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 1105.2.A.(4).[c].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

**SECTION 9.** The Zoning Ordinance of Manheim Township – 2014, as amended, Article XII shall be amended as follows:

Revise “Uses Within Business Districts” chart to include “horticulture, hydroponic” between the words “Agricultural” and “uses and necessary buildings”.

Section 1202.1. shall be revised to include the words “horticulture, hydroponics” between the words “Agricultural” and “uses”, to include the words “alpaca, llamas, emus” between the words “cattle,” and “and other livestock”, to delete the words “or garden”, to include the words “ products produced on site and sold” between the words “of farm” and “on a retail basis” and to include the words “in accordance with Section 2503” at the end of the sentence.

Section 1203.4. shall be amended to replace “this ordinance” with “Ordinance 1998-21, dated November 13, 1989”.

Section 1204.2.A. shall be amended to include the word “or” between the words “Agricultural” and “forestry”.

Section 1204.2.A.(4).[a].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 1204.2.A.(4).[b].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 1204.2.A.(4).[c].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

**SECTION 10.** The Zoning Ordinance of Manheim Township – 2014, as amended, Article XIII shall be amended as follows:

Revise “Uses Within Business Districts” chart to include “horticulture, hydroponic” between the words “Agricultural” and “uses and necessary buildings”.

Section 1302.1. shall be revised to include the words “horticulture, hydroponics” between the words “Agricultural” and “uses”, to include the words “alpaca, llamas, emus” between the words “cattle,” and “and other livestock”, to delete the words “or garden”, to include the words “ products produced on site and sold” between the words “of farm” and “on a retail basis” and to include the words “in accordance with Section 2503” at the end of the sentence.

Section 1304.2.A. shall be amended to include the word “or” between the words “Agricultural” and “forestry”.

Section 1304.2.A.(4).[a].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 1304.2.A.(4).[b].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 1304.2.A.(4).[c].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

**SECTION 11.** The Zoning Ordinance of Manheim Township – 2014, as amended, Article XIV shall be amended as follows:

Revise “Uses Within Business Districts” chart to include “horticulture, hydroponic” between the words “Agricultural” and “uses and necessary buildings”.

Section 1402.1. shall be revised to include the words “horticulture, hydroponics” between the words “Agricultural” and “uses”, to include the words “alpaca, llamas, emus” between the words “cattle,” and “and other livestock”, to delete the words “or garden”, to include the words “ products produced on site and sold” between the words “of farm” and “on a retail basis” and to include the words “in accordance with Section 2503” at the end of the sentence.

Section 1404 shall replace “Conditional uses as follows:” with “The following uses are permitted by conditional use when authorized by the Board of Commissioners:”

Section 1405.2.A. shall be amended to include the word “or” between the words “Agricultural” and “forestry”.

Section 1405.2.A.(4).[a].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 1405.2.A.(4).[b].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 1405.2.A.(4).[c].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

**SECTION 12.** The Zoning Ordinance of Manheim Township – 2014, as amended, Article XV shall be amended as follows:

Revise “Uses Within Industrial Districts” chart to include “horticulture, hydroponic” between the words “Agricultural” and “uses and necessary buildings”.

Section 1502.1. shall be revised to include the words “horticulture, hydroponics” between the words “Agricultural” and “uses”, to include the words “alpaca, llamas, emus” between the words “cattle,” and “and other livestock”, to delete the words “or garden”, to include the words “ products produced on site and sold” between the words “of farm” and “on a retail basis” and to include the words “in accordance with Section 2503” at the end of the sentence.

Section 1504.2.A. shall be amended to include the word “or” between the words “Agricultural” and “forestry”.

Section 1504.2.A.(4).[a].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 1504.2.A.(4).[b].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 1504.2.A.(4).[c].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

**SECTION 13.** The Zoning Ordinance of Manheim Township – 2014, as amended, Article XVI shall be amended as follows:

Revise “Uses Within Industrial Districts” chart to include “horticulture, hydroponic” between the words “Agricultural” and “uses and necessary buildings”.

Section 1602.1. shall be revised to include the words “horticulture, hydroponics” between the words “Agricultural” and “uses”, to include the words “alpaca, llamas, emus” between the words “cattle,” and “and other livestock”, to delete the words “or garden”, to include the words “ products produced on site and sold” between the words “of farm” and “on a retail basis” and to include the words “in accordance with Section 2503” at the end of the sentence.

Section 1604.2.A. shall be amended to include the word “or” between the words “Agricultural” and “forestry”.

Section 1604.2.A.(4).[a].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 1604.2.A.(4).[b].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 1604.2.A.(4).[c].[iii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

**SECTION 14.** The Zoning Ordinance of Manheim Township – 2014, as amended, Article XVII shall be amended as follows:

Revise “Uses Within Industrial Districts” chart to include “horticulture, hydroponic” between the words “Agricultural” and “uses and necessary buildings”.

Section 1702.1. shall be revised to include the words “horticulture, hydroponics” between the words “Agricultural” and “uses”, to include the words “alpaca, llamas, emus” between the words “cattle,” and “and other livestock”, to delete the words “or garden”, to include the words “ products produced on site and sold” between the words “of farm” and “on a retail basis” and to include the words “in accordance with Section 2503” at the end of the sentence.

Section 1704.2.A. shall be amended to include the word “or” between the words “Agricultural” and “forestry”.

Section 1704.2.A.(4).[a].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 1704.2.A.(4).[b].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

Section 1704.2.A.(4).[c].[ii]. shall be amended to delete the word “and”, to include the words “and manure storage” after the words “Agribusiness structures, feedlots” and to delete “/or”.

**SECTION 15.** The Zoning Ordinance of Manheim Township – 2014, as amended, Article XXII, Section 2208. BUILDING HEIGHT EXCEPTIONS shall be revised to delete the words “principal buildings and other structures permitted by right in the Industrial District I-2” and to add “agricultural silos” between the words “with respect to” and “however, the”.

**SECTION 16.** The Zoning Ordinance of Manheim Township – 2014, as amended, Article XXV shall be amended as follows:

Section 2503. AGRICULTURAL USES shall be deleted in its entirety and replaced with the following:

1. Roadside stands for the sale of farm, horticultural or hydroponic products on a retail basis is permitted in any district and shall comply with the following:
  - A. The use shall be proposed on an existing and operating farm with a minimum lot size of ten (10) acres or a minimum of five (5) acres and enrolled in the Clean & Green Program.
  - B. At least fifty (50) percent of such products (by volume) shall have been produced on the property on which they are offered for sale, based on all products offered throughout an entire year.
  - C. Sale of such products shall be conducted from a portable stand located behind the street right-of-way line and removed or dismantled at the end of the growing season, or from a permanent building located at least fifty (50) feet from the street right-of-way line.
  - D. The floor area of any portable stand shall not exceed one thousand (1,000) square feet; a permanent building shall not exceed four thousand (4,000) square feet.
  - E. Parking space for at least three (3) vehicles shall be provided behind the street right-of-way line when selling from a portable stand. For sales from a permanent structure, parking shall be provided in accordance with the parking standards outlined in Article XX. Vehicles shall not park on adjacent roads.
  - F. A ten (10) foot perimeter buffer shall be provided along all road frontage of property on which a permanent building has been erected for the sale of such products.
  
2. A farm related occupation is permitted as a conditional use in the Agricultural, R-1, and R-2 Districts and shall comply with the following:
  - A. The use shall be proposed on an existing and operating farm with a minimum lot size of ten (10) acres or a minimum lot size of five (5) acres and enrolled in the Clean & Green Program.
  - B. A maximum of two (2) farm related occupations are permitted per operating farm property.
  - C. The applicant shall provide evidence that the proposed use is important to local farming and is specifically sized to primarily serve local users. All activities and services should be directed at meeting the needs of those engaged in local farming. The facility should be directed at providing materials and services needed to farm, rather than distribution of goods produced on the farm. Some examples of farm related occupations (if suitably sized) include, but are not limited to the following:
    - (1) Buggy and harness sales and repair
    - (2) Farm-related and lawn mowing equipment repair specific to the agriculture community
    - (3) Horse and mule supplies
    - (4) Blacksmith and farrier
    - (5) Cut flowers, herb shop, greenhouse
    - (6) Vineyard and wine sales
  - D. Small scale activities and services, not directly related to farming operations are permitted provided they meet the criteria outlined in this Section. Some examples of small-scale activities and services include but are not limited to the following:
    - (1) Seamstress and tailoring
    - (2) Bake shop
    - (3) Wood carving, chair caning and wood furniture

- E. The cumulative gross floor area of a structure or structures containing a farm related occupation shall not exceed 5,000 square feet of gross floor area and any associated parking, access drives, display areas and storage area shall not comprise an area greater than one (1) acre.
  - F. No structural alterations to any existing building shall be made which will significantly change the external appearance of the farm building.
  - G. Where practicable, a farm related occupation shall be conducted within an existing farm building. However, any building constructed for use as a farm related occupation shall be located within proximity to existing farm buildings. The location of any building constructed for use as a farm related occupation shall be identified at the time of conditional use approval.
  - H. Any new building constructed for use by the farm related occupation shall be designed so that it can be readily converted to agricultural use, or removed, if the farm business is discontinued.
  - I. A mobile home shall not be used for a farm related occupation.
  - J. No farm related occupation shall result in any additional access points to any public road. Such uses shall not be permitted at any location where safe ingress or egress are not provided.
  - K. Access to the farm related occupation shall be provided by way of a stabilized dust free surface.
  - L. No part of a farm related occupation shall be located within one hundred (100) feet of any side or rear lot line, nor within two hundred (200) feet of adjacent land residentially zoned.
  - M. The applicant shall provide information on the type and number of truck trips to be generated by the farm related occupation.
  - N. Any hazardous or flammable material identified in SARA Title III, the Superfund Amendments & Reauthorization Act of 1986 and Title III of the Clear Air Act of 1990, at or above the required reporting threshold, and proposed to be used in the farm related occupation shall be reported to the County Emergency Management Agency. Confirmation of the reporting shall be supplied to the Township.
  - O. The person conducting the farm related occupation shall be a resident of the farm.
  - P. The number of nonresident persons of the farm employed by the farm related occupation shall be identified.
  - Q. The hours of operation shall be identified.
  - R. All farm related occupations shall comply with applicable land development regulations, stormwater management regulations, floodplain regulations and code regulations, if applicable.
  - S. Signs shall be in accordance with Article XVIII.
3. An agritourism enterprise is permitted as a conditional use in the Agricultural, R-1 and R-2 Districts and shall comply with the following:
- A. The use shall be proposed on an existing and operating farm with a minimum lot size of ten (10) acres and the use shall be incidental to the agricultural use of the farm.
  - B. Agritourism may include such things as wagon rides and tours, pick, plant, cut your own plants, vegetables or fruits, corn mazes, petting zoos limited to farm animals, agricultural related educational and learning experiences and campfires, etc. in accordance with code compliance regulations. Agritourism does not include wedding venues.
  - C. A sketch plan depicting the location and dimensions of all structures, parking areas, existing and proposed driveways, parking and vehicular turning areas, sanitary facilities (if required by PADEP), areas where visitors will be permitted and restricted, and landscaping if required to buffer adjacent properties. Vehicle stacking lanes shall be



provided at a minimum length of one hundred (100) feet to ensure adequate stacking is available to prevent backup onto adjacent roadways.

- D. Off-street parking shall be provided to accommodate the intended use.
  - E. Vehicles shall not park on adjacent roads.
  - F. The number of nonresident persons of the farm employed by the farm related occupation shall be identified.
  - G. Hours of operation shall be identified.
  - H. Sale of local products handcrafted on the farm are permitted.
  - I. All prepared foods available for sale shall be prepared in accordance with applicable federal, state, or local regulations.
  - J. Gathering areas, structures, restroom facilities and handicapped accessibility requirements shall comply with Code Compliance regulations.
  - K. Sanitary sewer facilities shall be provided in accordance with PADEP.
  - L. If the applicant proposes municipal endorsement/publicity and/or municipal participation, the applicant shall submit an indemnity agreement in favor of the municipality and include the municipality as an additional insured on its public liability insurance policy.
  - M. Signs shall be in accordance with Article XVIII.
4. An anaerobic or manure digester is permitted as an accessory use to an agricultural use subject to special exception approval and shall comply with the following:
- A. The use shall be proposed on an existing and operating farm with a minimum lot size of ten (10) acres.
  - B. Anaerobic or manure digesters shall be permitted as an accessory use to agricultural uses when livestock and poultry manure generated on site is used to generate and supply electrical or thermal power exclusively for on-site use by the agricultural use, except that when such agricultural use or farm is connected to a public utility, net metering shall be permitted in accordance with state law.
  - C. All equipment associated with the digester shall be setback a minimum of one hundred (100) feet from all property lines and two hundred (200) feet from existing dwellings on adjacent property.
  - D. All equipment and processing shall take place within an enclosed structure.
  - E. There shall be no outdoor storage of biomass materials or other materials or equipment.
  - F. The applicant shall address and document performance standards for siting to minimize impacts on neighboring properties, which shall include odor, prevailing wind patterns, proximity to nonagricultural properties, operational noise, and specific hours of operation.
  - G. All systems shall be designed and constructed in compliance with the PADEP and all applicable local, state and federal codes and regulations. Copies of all such approvals shall be submitted prior to issuance of the certificate of occupancy.
  - H. The applicant shall provide either a letter from the Lancaster County Conservation District stating that the proposed anaerobic or manure digester has been reviewed and approved for compliance with the regulations, and requirements of the State Manure Management Program; or a letter from the Lancaster County Conservation District stating that no review is required under applicable ordinances or that it will not review the proposal.
5. An outdoor hydronic heater is permitted as an accessory use in the Agricultural and R-1 Districts and shall comply with the following:
- A. The minimum lot size for an outdoor hydronic heater shall be ten (10) acres in the Agricultural District and shall be three (3) acres in the R-1 District.

- B. Fuel sources:
    - (1) Permitted fuel sources are those specified by PADEP. Under no circumstance shall trash be used as a fuel source.
    - (2) Combustion of the following fuel substances is expressly prohibited: industrial waste, rubber, plastics, used motor oil, toxic chemicals, contaminated waste, yard waste, household garbage, cardboard and wastepaper, animal waste and any material prohibited for combustion by federal or state statute.
  - C. An outdoor hydronic heater shall meet all current applicable EPA and PADEP regulations. Such heater shall maintain the hang tag, demonstrating compliance on the boiler unit at all times. Manufacturer specifications shall be submitted as part of the application.
  - D. An outdoor hydronic heater shall be setback a minimum of fifty (50) feet from any property line, and no heater shall be located between the principal building and any street right-of-way line.
  - E. All outdoor hydronic heaters shall have an attached stack with a minimum height of ten (10) feet that also extends at least two feet above the highest peak of any residence located less than one hundred fifty (150) feet from the outdoor hydronic heater.
  - F. In the event that an outdoor hydronic heater is damaged, abandoned, or physically decayed to the point of becoming noncompliant with this section, the boiler shall be removed and/or replaced with a new unit within sixty (60) days of the date that notice is received from the Township. In the event of replacement, all provisions of this section in effect at the time of replacement shall be complied with.
6. Riding Schools, Stables and Large Animal Veterinary Facilities are permitted in the Agricultural and R-1 Residential District by conditional use and shall comply with the following:
- A. The use shall be proposed on an existing and operation farm with a minimum lot size of ten (10) acres.
  - B. The entire perimeter of any grazing area must be enclosed in a well-maintained fence compliant with Section 2101.
  - C. No riding ring or exercise pen, jumping area, or show area shall be located within one hundred (100) feet of a property line or street right-of-way or three hundred (300) feet from a residential zoning district boundary.
  - D. The applicant shall provide sufficient information to demonstrate how any areas used for riding and pasturing will be maintained with a stabilized vegetative cover.
  - E. The location of manure storage shall comply with Section 605.2.A.(4) and Section 2101.4 of the Ordinance and shall be stored in accordance with the Clean Streams Law and the practices presented by the PA Manure Management Manual, as amended.
8. Aquaculture Enterprises are permitted in the Agricultural District by conditional use and shall comply with the following:
- A. The use shall be proposed on an existing and operation farm with a minimum lot size of ten (10) acres.
  - B. Unless the regulations or established guidelines of the PADEP, US Army Corp, LCCD, Fish & Boat Commission or other agency having jurisdiction over the operation require a greater setback, all facilities shall setback as follows:
    - (1) One hundred (100) feet of any sinkhole, area draining into a sinkhole, closed depressions or disappearing streams; within fifty (50) feet from any lineaments or fracture traces; or within twenty-five (25) feet from surface or identified subsurface

pinnacles.

- (2) Three hundred (300) feet from an existing occupied dwelling.
- (3) Fifty (50) feet of any property boundary.
- (4) Five hundred (500) feet of a boundary of any nonagricultural zoning district.

C. Operations of aquaculture enterprise.

- (1) Permitting. Prior to the start of operations of an aquaculture enterprise, the facility shall obtain any necessary permits from PADEP, US Army Corp, LCCD, Fish & Boat Commission or other permitting agency. A copy of any permits must be given to the Township thirty (30) days prior to the commencement. Any changes to the permit must be supplied to the Township within thirty (30) days after such a change is made.
- (2) The owner of the property must comply with all federal and state regulations, including all permit conditions, applicable to the operation of the aquaculture enterprise.
- (3) The operator of the aquaculture enterprise shall not permit odors, noise, or other public nuisances greater than those found in normal farming operations. The operator of the facility, prior to the commencement of activities, must present a plan to the Township that describes how the facility will discourage the attraction, harborage or breeding of vectors.
- (4) Containment of aquatic life may be within the limits of a floodplain provided necessary approvals are approved in accordance with the Manheim Township Floodplain Ordinance.
- (5) The operator of the aquaculture enterprise shall comply with all the emergency response and notification provisions provided by PADEP regulations or guidelines, or any other federal or state agency having jurisdiction over the operation.
- (6) Other ordinances. The owner of the property containing an aquaculture enterprise shall comply with all other applicable ordinances and requirements of the Township, including without limitation this ordinance, the Subdivision and Land Development Ordinance, the Stormwater Management Ordinance, the Floodplain Ordinance, and building codes of the Township, as well as all other ordinances or regulations.
- (7) Screening. The aquaculture enterprise shall be screened as required by Section 2512. All outside storage, parking or display of products, equipment or supplies shall be screened by a landscape screen or other visual barrier approved by the Township.
- (8) Signs. All signs for the aquaculture enterprise shall comply with requirements of Article XVIII, Sign Regulations.
- (9) Off-street parking. The aquaculture enterprise shall provide adequate parking or other spaces so that trucks accessing the facility may pull completely on the lot before loading or unloading materials.
- (10) Direct sales to residents are prohibited.

Section 2510. HORTICULTURAL USES shall be deleted in its entirety and replaced with the following:

Section 2510. HORTICULTURAL USES AND HYDROPONIC USES – Refer to Section 2503.

**SECTION 17.** The Zoning Ordinance of Manheim Township – 2014, as amended, Article XXVI shall be amended as follows:

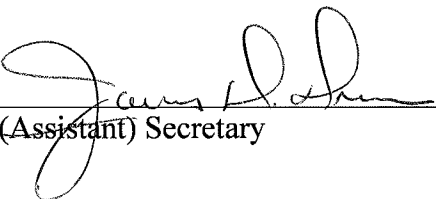
Section 2604.3 shall be revised to insert the words “residential land development, farm dwelling conversion or creation of an accessory dwelling unit” between the words “a residential subdivision” and “of any such tract”, to include the following two sentences at the end of the section “One (1) transferable development right is required for any subdivision of land with the exception defined in Section 602.3.L., for the construction of a single family detached dwelling, conversion of a farm house into a two-unit dwelling or the creation of an accessory dwelling unit. The net area associated with one (1) transferable development right is the reciprocal of 0.73, defined in Section 2604.2., or 1.369 acres.”

**SECTION 18.** All other portions, parts and provisions of the Zoning Ordinance of Manheim Township – 2014, as amended, as heretofore enacted and amended, shall remain in force and effect.

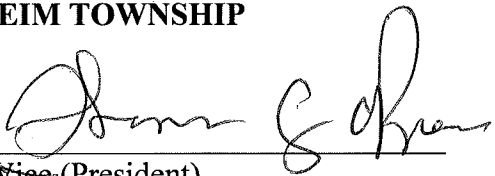
**SECTION 19.** The provisions of this Ordinance are severable and if any of its sections, clauses or sentences shall be held illegal, invalid or unconstitutional, such provisions shall not affect or impair any other remaining sections, clauses or sentences of the same.

**SECTION 20.** This Ordinance shall become effective upon enactment.

**DULY ENACTED AND ORDAINED** this 28 day of June 2021,  
by the Board of Commissioners of Manheim Township.

Attest:   
(Assistant) Secretary

**MANHEIM TOWNSHIP**

By:   
Vice (President),  
Board of Commissioners