

**TOWNSHIP OF LOWER FREDERICK
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO.: 2023-03

AN ORDINANCE OF THE TOWNSHIP OF LOWER FREDERICK, MONTGOMERY COUNTY, PENNSYLVANIA; AMENDING CHAPTER 170, ZONING, OF THE TOWNSHIP CODE TO REVISE DEFINITIONS; CLARIFY ENVIRONMENTAL ADJUSTMENT FACTORS; LIMIT NEIGHBORHOOD LOTTING IN THE R-1 DISTRICT; ESTABLISH PRIORITIZATION OF USE OF SANITARY SEWER SYSTEMS; REVISE DENSITY, DIMENSIONAL, AND HEIGHT REQUIREMENTS FOR VARIOUS ZONING DISTRICTS; AND AMEND REGULATIONS FOR CERTAIN SIGNS.

NOW THEREFORE, be it, and it is hereby **ORDAINED** by the Board of Supervisors of the Township of Lower Frederick, Montgomery County, Commonwealth of Pennsylvania, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

ARTICLE I. Definitions

Section 170-8, Definitions, of Chapter 170, Zoning, of the Lower Frederick Township Code is hereby amended by revising the following current definitions to read as follows:

BUILDING COVERAGE

The ratio obtained by dividing the maximum horizontal cross-section of all principal and accessory buildings on a lot (including balconies, covered decks and porches, carports, and breezeways; but excluding patios, cornices, eaves, gutters, bay windows, and steps) by the net lot area of the lot upon which the buildings are located. Building coverage is expressed as a percentage.

IMPERVIOUS COVERAGE OR IMPERVIOUS SURFACE

Coverage of the site by materials which cannot be penetrated by water and which therefore results in a stormwater runoff of 100%. Included are all buildings and all forms of paving used for roads, driveways, parking and loading areas, walks, courts, patios, etc.

ARTICLE II. Environmental adjustment factors

Subsection 170-41.B, Environmental adjustment factors, of the Lower Frederick Township Code shall be amended to read as follows:

B. Maximum tract density calculation. Maximum tract density is the maximum number of residential dwelling units (or lots) or maximum number of nonresidential building lots permitted on a tract in compliance with EAF calculations.

(1) R-1 and R-2 district maximum tract density is calculated by the following formula:

Maximum tract density = Total developable area of the tract (from Subsection 170-41.A) divided by the minimum developable lot area (from the applicable zoning district standards) (e.g., 27.2 acres divided by 2 acres).

NOTE:

Minimum developable lot area shall be expressed as acres or as a fraction of an acre in decimal form (e.g., two acres, one acre, 0.5 acre, 0.25 acre, etc.).

ARTICLE III. R-1 Zoning

Subsection A(2) of Section 170-43, Density and dimensional standards, of the Lower Frederick Township Code shall be amended to read as follows:

(2) Neighborhood lotting. This type of residential development is permitted in the R-1 Rural Residential District when all of the following requirements are met:

(a) The minimum tract area for a Neighborhood Lotting development is ten (10) acres.

(b) At least ten (10) acres of the Neighborhood Lotting tract must be located within ¼ mile (1,320 feet) of the Future Growth Area shown on the CPVRPC Future Land Use Map attached hereto as Appendix "A" to this chapter. Furthermore, all of the residential lots proposed for neighborhoods (not Estate Lots) must be situated entirely within this portion of the tract located within a ¼ mile (1,320 feet) of this Future Growth Area.

(c) The Neighborhood Lotting development shall be planned, designed, and built in full compliance with the neighborhood design standards found in §170-44 of this chapter.

(d) At least 75% of the Neighborhood Lotting tract shall be preserved as open land.

- (ee) A Neighborhood Lotting development is only permitted as a conditional use approved by the Board of Supervisors, in compliance with §170-31 of this chapter.

ARTICLE IV. R-1 Zoning

Section 170-44, Density and dimensional standards, of the Lower Frederick Township Code shall be amended to read as follows:

§170-44 Density and dimensional standards.

All development and use of land within the R-1 Rural Residential District shall comply with the applicable requirements of this section.

A. Single-family detached dwellings under conventional lotting:

- (1) Minimum developable lot area (used in maximum tract density calculations, § 170-41): two (2) acres (87,120 square feet).
- (2) Minimum lot size: two (2) acres (87,120 square feet).
- (3) Minimum buildable area for each building lot: 21,780 square feet.
- (4) Minimum lot width: 200 feet at the building line.
- (5) Minimum front yard setback: 75 feet.
- (6) Minimum side yard setback: 40 feet each.
- (7) Minimum rear yard setback: 75 feet.
- (8) Maximum building coverage: 5% of lot area.
- (9) Unless specifically regulated elsewhere in this Chapter, the maximum height for all accessory buildings and structures is 15 feet and is 35 feet for all other buildings and structures. (See §170-24 and §170-32 for additional height regulations).
- (10) Maximum impervious surface coverage: 15% of lot area.

B. Single-family detached dwellings under neighborhood lotting (not including dwellings on Estate Lots):

- (1) Minimum developable lot area (used in maximum tract density calculations, § 170-41): two (2) acres (87,120 square feet).

- (2) Minimum lot size: 12,500 square feet.
- (3) Maximum lot size: two (2) acres.
- (4) Minimum buildable area for each building lot: 12,500 square feet.
- (5) Minimum site area for a neighborhood lotting development: 10 acres.
- (6) Minimum common open land: 75% of the site area.
- (7) Minimum lot width: 90 feet at the building line.
- (8) Minimum front yard setback: 25 feet.
- (9) Minimum side yard setback: 10 feet each.
- (10) Minimum rear yard setback: 25 feet.
- (11) Maximum building coverage: 20% of lot area.
- (12) Unless specifically regulated elsewhere in this Chapter, the maximum height for all accessory buildings and structures is 15 feet and is 35 feet for all other buildings and structures. (See §170-24 and §170-32 for additional height regulations).
- (13) Maximum impervious surface coverage: ~~32~~33% of lot area.

C. Other principal uses, except parks, recreation areas, and institutions.

- (1) Minimum developable lot area (used in maximum tract density calculations, § 170-41): five (5) acres (217,800 square feet).
- (2) Minimum lot size: five (5) acres (217,800 square feet).
- (3) Minimum buildable area for each lot: one (1) acre (43,560 square feet).
- (4) Minimum lot width: 300 feet at the building line.
- (5) Minimum front yard setback: 75 feet.
- (6) Minimum side yard setback: 75 feet each.
- (7) Minimum rear yard setback: 75 feet.
- (8) Maximum building coverage: 5% of lot area.

(9) Unless specifically regulated elsewhere in this Chapter, the maximum height for all accessory buildings and structures is 15 feet and is 35 feet for all other buildings and structures. (See §170-24 and §170-32 for additional height regulations).

(10) Maximum impervious surface coverage: 25% of lot area.

D. Subdivision and Land Development. All applicants seeking subdivision and/or land development approval shall comply with and follow the requirements of §170-41, Environmental adjustment factors, to determine the development capacity of the site.

ARTICLE V. R-1 Zoning

A new Subsection 170-46.A(7) shall be added to Chapter 170, Zoning, of the Lower Frederick Township Code and shall read as follows:

(7) Proximity. Identify the boundaries of the tract; show that at least ten (10) acres of the tract is located within ¼ mile (1,320 feet) of the Future Growth Area shown on the CPVRPC Future Land Use Map attached hereto as Appendix "A" to this chapter; and show that all of the residential lots proposed for neighborhoods (not Estate Lots) are situated entirely within this portion of the tract located within a ¼ mile (1,320 feet) of this Future Growth Area.

ARTICLE VI. R-1 Zoning

A new Subsection 170-46.E(1)(e) shall be added to Chapter 170, Zoning, of the Lower Frederick Township Code and shall read as follows:

(e) Maximum impervious surface coverage: 15% of lot area.

ARTICLE VII. R-1 Zoning

A new Subsection 170-47.B(4) shall be added to Chapter 170, Zoning, of the Lower Frederick Township Code and shall read as follows:

(4) All lots, existing or proposed, not located within the areas proposed for public sewer connection pursuant to the Township's Sewage Facilities Plan, must employ an on-lot sewage disposal system ("OLDS") for sewage disposal. An OLDS proposal for such a lot shall utilize the highest priority method of sewage disposal set forth in the following Table 170-47B that can

be technically and administratively implemented on the lot. If disposal cannot be provided by a higher-ranked method than proposed, the applicant must submit a written explanation of the reasons why the subject lot is not suitable for these higher-ranked methods, along with the appropriate supporting data. A change in the number or type of dwelling units, businesses, and/or establishments that could be served by a certain method of on-lot disposal upon the lot shall not constitute a valid reason why a higher ranked method is not utilized in favor of a lower priority method. An applicant must show that the higher ranked methods of on-lot disposal will not function upon the lot, are inconsistent with other applicable Township Code provisions, will result in increased disturbance of protected natural resources, and/or are not technically/administratively feasible before proposing to employ a lower-ranked method. The Board will determine, at its sole discretion, whether the use of a lower ranked method complies with the requirements of this Section. The repair of an existing OLDS that is failing does not have to comply with this Section.

TABLE 170-47B
SEWAGE MANAGEMENT PRIORITY RANKINGS

1. Individual on-lot in-ground system.
2. Individual on-lot elevated sand mound system.
3. Individual on-lot drip distribution system.
4. Other conventional depth limiting zone (20" +) individual on-lot alternate systems, including, but not limited to:
 - a. Individual steep slope sand mound; and
 - b. Individual at-grade bed.
5. Other shallow depth limiting zone (< 20") individual on-lot alternate systems, including, but not limited to:
 - a. Individual micromound system; and
 - b. Individual shallow limiting zone at-grade system.
6. Individual on-lot residential spray irrigation system (IRSIS).
7. Individual on-lot experimental system.
8. Community on-lot conventional sewage systems, including, but not limited to:
 - a. In-ground systems;
 - b. Elevated sand mound systems; and
 - c. Spray irrigation systems.
9. Community on-lot alternate sewage systems included in DEP's On-lot Alternate Technologies Listings.
10. Community on-lot experimental system.
11. Individual small flow treatment facility (SFTF).
12. Community SFTF.
13. Holding tank.*

- * At its discretion, the Board may prefer a holding tank over community, experimental, and/or SFTF systems for uses that produce less than one (1) EDU of sewage, such as small commercial uses.

The definitions of terms used in this Section (repair, conventional, alternative, experimental, etc.) shall match the definitions set forth in the applicable DEP Regulations (Title 25, Chapter 73 of the PA Code, as amended).

ARTICLE VIII. R-2 Zoning

Section 170-50, Density and dimensional standards, of the Lower Frederick Township Code shall be amended to read as follows:

§170-50 Density and dimensional regulations.

- A. Single-family detached dwellings under conventional lotting:
 - (1) Minimum developable lot area (used in maximum tract density calculations, § 170-41): one (1) acre (43,560 square feet).
 - (2) Minimum lot size: one (1) acre (43,560 square feet).
 - (3) Minimum buildable area for each building lot: 10,890 square feet.
 - (4) Minimum lot width: 150 feet at the building line.
 - (5) Minimum front yard setback: 50 feet.
 - (6) Minimum side yard setback: 35 feet each.
 - (7) Minimum rear yard setback: 50 feet.
 - (8) Maximum building coverage: 10% of lot area.
 - (9) Unless specifically regulated elsewhere in this Chapter, the maximum height for all accessory buildings and structures is 15 feet and is 35 feet for all other buildings and structures. (See §170-24 and §170-32 for additional height regulations).
 - (10). Maximum impervious surface coverage: 25% of lot area.
- B. Single-family detached dwellings under neighborhood lotting (not including dwellings on Estate Lots):

- (1) Minimum developable lot area (used in maximum tract density calculations, § 170-41): one (1) acre (43,560 square feet).
- (2) Minimum lot size: 12,500 square feet.
- (3) Maximum lot size: two (2) acres (87,120 square feet).
- (4) Minimum buildable area for each building lot: 12,500 square feet.
- (5) Minimum site area: 10 acres.
- (6) Minimum common open land: 55% of the site area.
- (7) Minimum lot width: 75 feet at the building line.
- (8) Minimum front yard setback: 25 feet.
- (9) Minimum side yard setback: 10 feet each.
- (10) Minimum rear yard setback: 25 feet.
- (11) Maximum building coverage: 20% of lot area.
- (12) Unless specifically regulated elsewhere in this Chapter, the maximum height for all accessory buildings and structures is 15 feet and is 35 feet for all other buildings and structures. (See §170-24 and §170-32 for additional height regulations).
- (13) Maximum impervious surface coverage: 33% of lot area.

C. Other principal uses, except parks, recreation areas, and institutions.

- (1) Minimum developable lot area (used in maximum tract density calculations, § 170-41): five (5) acres (217,800 square feet).
- (2) Minimum lot size: five (5) acres (217,800 square feet).
- (3) Minimum buildable area for each lot: one (1) acre (43,560 square feet).
- (4) Minimum lot width: 300 feet at the building line.
- (5) Minimum front yard setback: 75 feet.
- (6) Minimum side yard setback: 75 feet each.

- (7) Minimum rear yard setback: 75 feet.
- (8) Maximum building coverage: 5% of lot area.
- (9) Unless specifically regulated elsewhere in this Chapter, the maximum height for all accessory buildings and structures is 15 feet and is 35 feet for all other buildings and structures. (See §170-24 and §170-32 for additional height regulations).
- (10). Maximum impervious surface coverage: 25% of lot area.

D. Subdivision and Land Development. All applicants seeking subdivision and/or land development approval shall comply with and follow the requirements of §170-41, Environmental adjustment factors, to determine the development capacity of the site.

ARTICLE IX. R-2 Zoning

A new Subsection 170-53.B(4) shall be added to Chapter 170, Zoning, of the Lower Frederick Township Code and shall read as follows:

- (4) All lots, existing or proposed, not located within the areas proposed for public sewer connection pursuant to the Township’s Sewage Facilities Plan, must employ an on-lot sewage disposal system (“OLDS”) for sewage disposal. An OLDS proposal for such a lot shall utilize the highest priority method of sewage disposal set forth in the following Table 170-53B that can be technically and administratively implemented on the lot. If disposal cannot be provided by a higher-ranked method than proposed, the applicant must submit a written explanation of the reasons why the subject lot is not suitable for these higher-ranked methods, along with the appropriate supporting data. A change in the number or type of dwelling units, businesses, and/or establishments that could be served by a certain method of on-lot disposal upon the lot shall not constitute a valid reason why a higher ranked method is not utilized in favor of a lower priority method. An applicant must show that the higher ranked methods of on-lot disposal will not function upon the lot, are inconsistent with other applicable Township Code provisions, will result in increased disturbance of protected natural resources, and/or are not technically/administratively feasible before proposing to employ a lower-ranked method. The Board will determine, at its sole discretion, whether the use of a lower ranked method complies with the requirements of this Section. The repair of an existing OLDS that is failing does not have to comply with this Section.

TABLE 170-53B
SEWAGE MANAGEMENT PRIORITY RANKINGS

1. Individual on-lot in-ground system.
2. Individual on-lot elevated sand mound system.
3. Individual on-lot drip distribution system.
4. Other conventional depth limiting zone (20" +) individual on-lot alternate systems, including, but not limited to:
 - a. Individual steep slope sand mound; and
 - b. Individual at-grade bed.
5. Other shallow depth limiting zone (< 20") individual on-lot alternate systems, including, but not limited to:
 - a. Individual micromound system; and
 - b. Individual shallow limiting zone at-grade system.
6. Individual on-lot residential spray irrigation system (IRSIS).
7. Individual on-lot experimental system.
8. Community on-lot conventional sewage systems, including, but not limited to:
 - a. In-ground systems;
 - b. Elevated sand mound systems; and
 - c. Spray irrigation systems.
9. Community on-lot alternate sewage systems included in DEP's On-lot Alternate Technologies Listings.
10. Community on-lot experimental system.
11. Individual small flow treatment facility (SFTF).
12. Community SFTF.
13. Holding tank.*

* At its discretion, the Board may prefer a holding tank over community, experimental, and/or SFTF systems for uses that produce less than one (1) EDU of sewage, such as small commercial uses.

The definitions of terms used in this Section (repair, conventional, alternative, experimental, etc.) shall match the definitions set forth in the applicable DEP Regulations (Title 25, Chapter 73 of the PA Code, as amended).

ARTICLE X. R-3 Zoning

Section 170-56 of Chapter 170, Zoning, of the Lower Frederick Township Code shall be amended to read as follows:

§170-56 Density and dimensional regulations.

- A. Only one principal use shall be allowed on a lot.

- B. Minimum buildable area for each building lot shall be equal to the minimum lot size specified in Table 170-56C below or 21,780 square feet, whichever is smaller.
- C. The minimum lot area, minimum lot width, maximum building coverage, maximum impervious surface coverage, and minimum front, side and rear yard setbacks required for each permitted use in the R-3 Medium-Density Residential District are as prescribed in Table 170-56C herein.

Table 170-56C							
Dimensional Regulations: R-3 Medium-Density Residential District							
Dwelling/Use Type	Minimum Lot Area (square feet)	Minimum Lot Width (feet)	Maximum Building Coverage (%)	Maximum Impervious Surface Coverage (% of lot area)	Minimum Front Yard (feet)	Minimum Side Yard (feet)	Minimum Rear Yard (feet)
Single-family detached	10,000	80	14	20	25	15	30
Lot line house	7,000	60	30	40	25	30 (one only)	30
Village house	6,200	55	20	30	15	10	30
Patio house	4,500	45	30	35	25	10	0
Single-family semidetached	5,000 per du	40 per du	25	35	25	20 (one only)	30
Two-family detached	5,000 per du	40 per du	20	30	25	15	30
All other uses (except parks, recreation areas, and institutions)	43,560 (1 acre)	150	20	50	30	20	30

- D. Access to a public street. As an exception to the requirements of §170-11 of this chapter, each and every lot in the R-3 District shall abut a public street at the ultimate right-of-way line for at least fifty (50) feet or the minimum lot width requirement for the specific dwelling/use type, whichever is smaller, and said frontage must be usable for purposes of ingress and egress to the lot.
- E. Additional setback regulations.
 - (1) A lot with multiple street frontages shall have a front yard setback along each frontage.
 - (2) If a standard building line has been established by previous development on adjoining streets, and it is less than the minimum front yard setback required for that dwelling type as set forth above, the minimum front yard setback for a new development shall be the average front yard setback of

existing principal buildings within 500 feet to either side of the proposed development.

- (3) Lot Line House. Only one (1) side yard is required for lot line houses. Unless a side yard having a minimum setback of five (5) feet is provided for the second side yard, a five (5) foot-wide maintenance easement shall be provided along the side lot line. Minimum distance between a lot line house and another dwelling shall be thirty (30) feet.
 - (4) Two (2) side yard setbacks are required for single-family and two-family detached dwellings, and one (1) side yard setback is required for single-family and two-family semidetached dwellings.
- F. Zoning district boundary setback. A minimum setback of fifty (50) feet is required between any semidetached principal building in the R-3 Medium-Density Residential District and any Township boundary or any boundary of a residential zoning district with a maximum permitted density of two (2) units per acre or lower. This setback may be part of a required yard area and shall include landscaping and/or berming according to the provisions of Chapter 145, Subdivision and Land Development.
- G. Unless specifically regulated elsewhere in this Chapter, the maximum height for all accessory buildings and structures is 15 feet and is 35 feet for all other buildings and structures. (See §170-24 and §170-32 for additional height regulations).
- H. Subdivision and Land Development. All applicants seeking subdivision and/or land development approval shall comply with and follow the requirements of §170-41, Environmental adjustment factors, to determine the development capacity of the site.

ARTICLE XI. R-4 District

Section 170-61 of Chapter 170, Zoning, of the Lower Frederick Township Code shall be amended to read as follows:

§170-61 Density and dimensional regulations.

- A. Density shall be calculated in compliance with the standards listed below. Maximum tract density shall be subject to further modification by the environmental adjustment factors in §170-41 of this chapter.
- (1) Single-family detached dwellings: three (3) dwelling units per acre.
 - (2) Lot line and village house dwellings: four (4) dwelling units per acre.

- (3) Patio house dwellings: five (5) dwelling units per acre.
 - (4) Single-family semidetached and two-family detached dwellings: six (6) dwelling units per acre.
 - (5) Two-family semidetached, atrium house, and townhouse dwellings: six (6) dwelling units per acre.
- B. Minimum buildable area for each building lot shall be equal to the minimum lot size specified in Table 170-61C below or 21,780 square feet, whichever is smaller.
- C. The minimum lot area, minimum lot width, maximum building coverage, maximum impervious surface coverage, and minimum front, side and rear yard setbacks required for each permitted use in the R-4 High-Density Residential District are as prescribed in Table 170-61.C herein.

Dwelling/Use Type	Minimum Lot Area (square feet)	Minimum Lot Width (feet)	Maximum Building Coverage (%)	Maximum Impervious Surface Coverage (% of lot area)	Minimum Front Yard (feet)	Minimum Side Yard (feet)	Minimum Rear Yard (feet)
Single-family detached	10,000	80	14	20	25	15/	30
Lot line house	7,000	60	30	40	25	30 (one only)	30
Village house	6,200	55	20	30	15	10	30
Patio house	4,500	45	30	45	25	10	0
Single-family semidetached	5,000 per du	40 per du	25	40	25	12 (one only)	30
Two-family detached	5,000 per du	40 per du	20	35	25	15	30
Two-family semidetached	3,000 per du	30 per du	20	40	25	20 (one only)	30
Atrium house	2,500 per du	40 per du	50	65	20	10 (end only)	0
Townhouse	2,500 per du	20 per du	50	65	20	15 (end only)	25
All other uses (except parks and recreation areas)	43,560 (1 acre)	150	20	50	30	20	30

- D. Access to a public street. As an exception to the requirements of §170-11 of this chapter, each and every lot in the R-4 District shall abut a public street at the ultimate right-of-way line for at least fifty (50) feet or the minimum lot width requirement for the specific dwelling/use type, whichever is smaller, and said

frontage must be usable for purposes of ingress and egress to the lot, subject further to the design requirements of §170-63 of this chapter.

E. Additional setback regulations.

- (1) A lot with multiple street frontages shall have a front yard setback along each frontage.
- (2) If a standard building line has been established by previous development on adjoining streets, and it is less than the minimum front yard setback required for that dwelling type as set forth above, the minimum front yard setback for a new development shall be the average front yard setback of existing principal buildings within 500 feet to either side of the proposed development.
- (3) Lot Line House. Only one (1) side yard is required for lot line houses. Unless a side yard having a minimum setback of five (5) feet is provided for the second side yard, a five (5) foot-wide maintenance easement shall be provided along the side lot line. Minimum distance between a lot line house and another dwelling shall be thirty (30) feet.
- (4) Two (2) side yard setbacks are required for single-family and two-family detached dwellings, and one (1) side yard setback is required for single-family and two-family semidetached dwellings.
- (5) Minimum distance between buildings containing atrium or townhouse dwellings shall be forty (40) feet.

F. Zoning district boundary setback. A minimum setback of fifty (50) feet is required between any semidetached or attached principal building in the R-4 High-Density Residential District and any Township boundary or any boundary of a residential zoning district with a maximum permitted density of two (2) units per acre or lower. This setback may be part of a required yard area and shall include landscaping and/or berming according to the provisions of Chapter 145, Subdivision and Land Development.

G. Unless specifically regulated elsewhere in this Chapter, the maximum height for all accessory buildings and structures is 15 feet and is 35 feet for all other buildings and structures. (See §170-24 and §170-32 for additional height regulations).

H. Parking area setback. A minimum thirty (30) foot setback shall be required between any parking area of eight (8) or more spaces and any side or rear lot line or tract boundary. This parking area setback may be part of a zoning district boundary or buffer yard. If the parking area extends over or is shared/used by two (2) or more lots, the setback shall not be required from the common lot line(s) of these lots.

- I. Maximum length of attached dwellings. No more than four (4) atrium houses or eight (8) townhouses are permitted within one (1) building. The length of any single building or connected buildings containing residential dwellings shall not exceed 160 feet.
- J. Subdivision and Land Development. All applicants seeking subdivision and/or land development approval shall comply with and follow the requirements of §170-41, Environmental adjustment factors, to determine the development capacity of the site.
- K. Only one principal use shall be allowed on a lot.

ARTICLE XII. VC-Village Commercial District

Subsection 170-68.A(8) of Chapter 170, Zoning, of the Lower Frederick Township Code shall be amended to read as follows:

- (8) Unless specifically regulated elsewhere in this Chapter, the maximum height for all accessory buildings and structures is 15 feet and is 35 feet for all other buildings and structures. (See §170-24 and §170-32 for additional height regulations).

ARTICLE XIII. VC-Village Commercial District

Subsection 170-70.1.B(9) of Chapter 170, Zoning, of the Lower Frederick Township Code shall be amended to read as follows:

- (9) Unless specifically regulated elsewhere in this Chapter, the maximum height for all accessory buildings and structures is 15 feet and is 35 feet for all other buildings and structures. (See §170-24 and §170-32 for additional height regulations).

ARTICLE XIV. CC-Community Commercial District

Subsection 170-75.A(9) of Chapter 170, Zoning, of the Lower Frederick Township Code shall be amended to read as follows:

- (9) Unless specifically regulated elsewhere in this Chapter, the maximum height for all accessory buildings and structures is 15 feet and is 35 feet for all other buildings and structures. (See §170-24 and §170-32 for additional height regulations).

ARTICLE XV. LI-Limited Industrial District

Subsection 170-82.L of Chapter 170, Zoning, of the Lower Frederick Township Code shall be amended to read as follows:

- L. Unless specifically regulated elsewhere in this Chapter, the maximum height for all accessory buildings and structures is 15 feet and is 35 feet for all other buildings and structures. (See §170-24 and §170-32 for additional height regulations).

ARTICLE XVI. IR-Institutional and Recreational Overlay District

Subsection 170-94.B(1) of Chapter 170, Zoning, of the Lower Frederick Township Code shall be amended to read as follows:

- (1) Unless specifically regulated elsewhere in this Chapter, the maximum height for all accessory buildings and structures is 15 feet; is 35 feet or three (3) stories for all other buildings; and is 35 feet for all other structures. (See §170-24 and §170-32 for additional height regulations).

ARTICLE XVII. OI-Office Institution District

The “maximum height” row in the Table in Section 170-100 of Chapter 170, Zoning, of the Lower Frederick Township Code shall be amended to read as follows:

Maximum height	Unless specifically regulated elsewhere in this Chapter, the maximum height for all accessory buildings and structures is 15 feet and is 35 feet for all other buildings and structures. (See §170-24 and §170-32 for additional height regulations).
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ARTICLE XVIII. Signs

Subsection 170-137.A.(7) of Chapter 170, Zoning, of the Lower Frederick Township Code shall be amended to read as follows:

- (7) Signs for institutional uses. Institutional uses may have a sign or signs of any permitted sign type within the following limits on the sign area: the total permitted sign area upon a lot shall not exceed two (2) square feet per linear foot of building frontage along each street

frontage, up to a maximum of two hundred fifty (250) square feet, and shall be a minimum of twenty (20) square feet.

ARTICLE XIX. Repealer

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

ARTICLE XX. Severability

If any section, paragraph, subsection, clause, or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

ARTICLE XXI. Effective Date

This Ordinance shall become effective five (5) days after final enactment.

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**LOWER FREDERICK TOWNSHIP
OMNIBUS ZONING AMENDMENT**

Ordinance No. 2023-03

ENACTED and *ORDAINED* this 3rd day of October, 2023.

**LOWER FREDERICK TOWNSHIP
BOARD OF SUPERVISORS**



Marla Hexter, Chair

Daniel Orfe, Vice Chair



Terry Bird

ATTEST:



Jason A. Wager, Manager



Terry Sacks



Charles W. Yeiser

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Lower Frederick Township Omnibus Zoning Amendment – Part 2 which will be considered for adoption by the Lower Frederick Township Board of Supervisors at a public meeting on October 3, 2023.

By: 

H. Peter Nelson, Esquire
Lower Frederick Township Solicitor

