

**TOWNSHIP OF WEST COCALICO**

Lancaster County, Pennsylvania

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**ORDINANCE NO. 154**

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AN ORDINANCE TO AMEND THE WEST COCALICO TOWNSHIP CODE OF ORDINANCES, CHAPTER 27, ZONING, TO REVISE REGULATIONS GOVERNING CERTAIN USES, REVISE DEFINITIONS, AND REVISE USES ALLOWED WITHIN THE A-1 AGRICULTURAL DISTRICT, A-2 AGRICULTURAL DISTRICT, ES ECOLOGICALLY SENSITIVE DISTRICT AND OS-WOODLAND DISTRICT.

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

Section 1. The West Cocalico Township Code of Ordinances, Chapter 27, Zoning, Part 2, Definitions, §27-202, Terms, shall be amended by adding or revising the following definitions in alphabetical order:

**AGRICULTURAL-RELATED BUSINESS** -- A use of land and/or buildings to provide goods and/or services designed and directed to support agricultural operations. Agricultural related businesses shall be directed at meeting the material or service needs of agricultural operations and shall exclude those businesses whose primary purpose is the retail distribution of goods and products that would meet the day-to-day needs of the nonfarming community. Agricultural support and agricultural consulting business including but not limited to crop planning and management consultants and custom harvesting services and other custom work within the definition of normal agricultural operation in the Right to Farm Act, 3 P.S. §952, shall be considered agricultural-related businesses. Agricultural-related businesses shall exclude manufacturing operations, including but not limited to fertilizer manufacturing, and composting or digesting operations where the items being composted are not generated by agricultural operations within the Township.

**GARAGE, COMMUNITY** -- A building, surfaced area, or combination thereof for use of storage space for more than three motor vehicles. A facility of this type shall be presumed a business use.

**GREENHOUSE** -- An agricultural operation engaged in the agricultural production of agricultural and horticultural crops.

PARENT TRACT - When used in determining the permissible number of lots which may be subdivided or dwellings erected in the ES Ecologically Sensitive District, the A-1 Agricultural District, the A-2 Agricultural District or the OS Woodland District, all contiguous land held in single and separate ownership, regardless of whether:

- A. Such land is divided into one or more lots, parcels, purparts or tracts.
- B. Such land was acquired by the landowner at different times or by different deeds, devise, partition or otherwise.
- C. Such land is bisected by public or private streets or rights-of-way, which was held by the landowner or his predecessor in title on December 24, 1989, or, if such land was not classified as ES Ecologically Sensitive District, A-1 Agricultural District or A-2 Agricultural District on December 24, 1989, or not classified as OS Woodland District on September 7, 2011, which was held by the landowner or his predecessor in title on the date such land was first classified as ES Ecologically Sensitive District, A-1 Agricultural District or A-2 Agricultural District after December 24, 1989, or first classified as OS Woodland District after September 7, 2011.

Section 2. The West Cocalico Township Code of Ordinances, Chapter 27, Zoning, Part 4, ES Ecologically Sensitive District, §27-402, Permitted Uses, and §27-403, Special Exceptions, shall be amended to provide as follows:

§27-402. Permitted Uses.

Land and buildings in the ES - Ecologically Sensitive District shall be used only for the following purposes in accordance with the requirements of Part 23 and other provisions of this chapter:

- 1. A new or expanded agricultural operation where the AEU are less than two (2) AEU per acre and are not CAFOs or CAOs.
- 2. Agricultural related businesses.
- 3. Conservation areas for the conservation of open space, water, soil, forest, and wildlife resources.
- 4. Municipal uses.
- 5. Principal farm dwellings.
- 6. Single-family detached dwellings.
- 7. Day care homes.
- 8. Echo housing.

9. Forestry.
10. Greenhouse.
11. Riding school or horse boarding stable.
12. Rural Occupation.
13. No-impact home-based business.
14. On-farm occupations.
15. Accessory solar energy systems.
16. Accessory wind energy systems.
17. Closed-loop geothermal energy systems.
18. Outdoor hydronic heating systems.
19. Independent contractor truck driver vehicle storage as an accessory use.
20. Accessory buildings and uses customarily incidental and secondary to the above permitted uses when located on the same lot.
21. Accessory buildings and uses customarily incidental and secondary to special exception uses approved under §27-403 below when located on the same lot.

§27-403. Special Exceptions.

The establishment and/or expansion of the following uses are permitted when special exceptions are granted by the Zoning Hearing Board in conformance with Part 23 and other provisions of this chapter:

1. Concentrated animal feeding operations and concentrated animal operations which have an AEU of two or more AEU per acre located less than 500 feet from an adjoining residential zoning district.
2. Accessory farm dwellings.
3. Agri-venue.
4. Bed and breakfast establishments.
5. Beekeeping.
6. Cemetery.
7. Commercial communication antennas and antenna sites.
8. Essential services buildings and structures.

9. Home occupations which do not qualify as no-impact home-based businesses.
10. Horticulture.
11. Kennels.
12. Noncommercial day care centers accessory to existing churches.
13. Recreational camp.
14. Display and sale of agricultural products by a person farming land in this zoning district.
15. Principal wind energy systems.
16. Short-term rental.

Section 3. The West Cocalico Township Code of Ordinances, Chapter 27, Zoning, Part 5, A-1 Agricultural District, §27-502, Permitted Uses, and §27-503, Special Exceptions, shall be amended to provide as follows:

§27-502. Permitted Uses.

Land and buildings in the A-1 Agricultural District shall be used only for the following purposes in accordance with the requirements of Part 23 and other provisions of this chapter:

1. A new or expanded agricultural operation where the AEU are less than two (2) AEU per acre and are not CAFOs or CAOs.
2. Agricultural related businesses.
3. Principal farm dwellings.
4. Display and sale of agricultural products by a person farming land.
5. Non-commercial manure storage facilities.
6. No-impact, home-based business.
7. Day care homes.
8. On-farm occupations.
9. Municipal uses.
10. Echo housing.
11. Home occupations.
12. Rural occupations.

13. Forestry.
14. Riding school or horse boarding stable.
15. Greenhouse.
16. Accessory solar energy systems.
17. Accessory wind energy systems.
18. Closed-loop geothermal energy systems.
19. Outdoor hydronic heating systems.
20. Independent contractor truck driver vehicle storage as an accessory use.
21. Accessory buildings and uses customarily incidental and secondary to the above permitted uses when located on the same lot.
22. Accessory buildings and uses customarily incidental to special exception uses approved under §27-503 below when located on the same lot.

§27-503. Special Exceptions.

The establishment and/or expansion of the following uses are permitted when special exceptions are granted by the Zoning Hearing Board in conformance with Part 23 and other provisions of this chapter:

1. Concentrated animal feeding operations and concentrated animal operations located less than 500 feet from an adjoining residential zoning district.
2. Agri-venue.
3. Bed and breakfast establishments.
4. Essential services buildings and structures.
5. Temporary farm employee housing.
6. Accessory farm dwellings.
7. Noncommercial day care centers accessory to existing churches.
8. Adaptive reuse of agricultural building.
9. Kennels.
10. Non-farm single-family detached dwellings.
11. Principal solar energy systems.
12. Principal anaerobic digester systems.
13. Beekeeping.

14. Horticulture.
15. Manure storage facility.
16. Quarrying.
17. Heliport.
18. Short-term rental.

Section 4. The West Cocalico Township Code of Ordinances, Chapter 27, Zoning, Part 6, A-2 Agricultural District, §27-602, Permitted Uses, and §27-603, Special Exceptions, shall be amended to provide as follows:

§27-602. Permitted Uses.

Land and buildings in the A-2 Agricultural District shall be used only for the following purposes in accordance with the requirements of Part 23 and other provisions of this chapter:

1. A new or expanded agricultural operation where the AEU are less than two (2) AEU per acre and are not CAFOs or CAOs.
2. Concentrated animal feeding operations and concentrated animal operations located greater than 500 feet from an adjoining residential zoning district.
3. Agricultural related businesses.
4. Principal farm dwellings.
5. Display and sale of agricultural products by a person farming land.
6. Non-commercial manure storage facilities.
7. No-impact, home-based business.
8. Day care homes.
9. On-farm occupations.
10. Municipal uses.
11. Echo housing.
12. Home occupations.
13. Rural occupations.
14. Forestry.
15. Riding school or horse boarding stable.

16. Greenhouse.
17. Accessory solar energy systems.
18. Accessory wind energy systems.
19. Closed-loop geothermal energy systems.
20. Outdoor hydronic heating systems.
21. Independent contractor truck driver vehicle storage as an accessory use.
22. Accessory buildings and uses customarily incidental and secondary to the above permitted uses when located on the same lot.
23. Accessory buildings and uses customarily incidental to special exception uses approved under §27-603 below when located on the same lot.

§27-603. Special Exceptions.

The establishment and/or expansion of the following uses are permitted when special exceptions are granted by the Zoning Hearing Board in conformance with Part 23 and other provisions of this chapter:

1. Concentrated animal feeding operations and concentrated animal operations located less than 500 feet from an adjoining residential zoning district.
2. Adaptive reuse of an agricultural building.
3. Agritainment.
4. Agri-venue.
5. Animal laboratory.
6. Bed and breakfast establishments.
7. Beekeeping.
8. Essential services buildings and structures.
9. Temporary farm employee housing.
10. Accessory farm dwellings.
11. Noncommercial day care centers accessory to existing churches.
12. Kennels.
13. Non-farm single-family detached dwellings.
14. Principal solar energy systems.
15. Principal anaerobic digester systems.

16. Horticulture.
17. Manure storage facility.
18. Heliport.
19. Short-term rental.

Section 5. The West Cocalico Township Code of Ordinances, Chapter 27, Zoning, Part 7, OS-Woodland District, §27-702, Permitted Uses, and §27-703, Special Exceptions, shall be amended to provide as follows:

§27-702. Permitted Uses.

Land and buildings in the OS-Woodland District shall be used only for the following purposes in accordance with the requirements of Part 23 and other provisions of this chapter:

1. A new or expanded agricultural operation where the AEU are less than two (2) AEU per acre and are not CAFOs or CAOs.
2. Agricultural related businesses.
3. Greenhouses.
4. Principal farm dwellings.
5. No-impact, home-based business.
6. Day care homes.
7. On-farm occupations.
8. Municipal uses.
9. Echo housing.
10. Home occupations.
11. Rural occupations.
12. Forestry.
13. Riding school or horse boarding stable.
14. Accessory solar energy systems.
15. Accessory wind energy systems.
16. Closed-loop geothermal energy systems.



17. Outdoor hydronic heating systems.
18. Independent contractor truck driver vehicle storage as an accessory use.
19. Accessory buildings and uses customarily incidental and secondary to the above permitted uses when located on the same lot.

§27-703. Special Exceptions.

The establishment and/or expansion of the following uses are permitted when special exceptions are granted by the Zoning Hearing Board in conformance with Part 23 and other provisions of this chapter:

1. Agri-venue.
2. Concentrated animal feeding operations and concentrated animal operations located less than 500 feet from an adjoining residential zoning district.
3. Animal hospitals and veterinary clinics
4. Bed and breakfast establishments.
5. Campgrounds.
6. Cemetery.
7. Clubhouse.
8. Commercial communication antennas and antenna sites
9. Golf courses.
10. Accessory farm dwellings
11. Kennels.
12. Outdoor commercial recreation facility.
13. Short-term rental.

Section 6. The West Cocalico Township Code of Ordinances, , Chapter 27, Zoning, Part 12, I-C Industrial/Commercial District, §27-703, Special Exceptions, Subsection 1, shall be amended as follows:

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- J. Wholesale distribution and storage of commercial and/or industrial products, including lumber and coal yards, building material storage yards, contractors' equipment and storage yards, and commercial warehouses and storage facilities.

\* \* \*

X. Parking garage or parking lot as a principal use.

\* \* \*

CC. Any other use which is considered by it to be of the same general character as any of the permitted or special exception uses in the I-C District, provided that the Applicant shall demonstrate how the use is similar to and compatible with the uses allowed as of right or by special exception in the I-C District and such use shall comply with all dimension requirements and performance standards of the I-C District and all generally applicable requirements of this chapter.

Section 7. The West Cocalico Township Code of Ordinances, Chapter 27, Zoning, Part 18, Off-Street Parking and Loading, §27-1805, Parking and Storage of Vehicles, shall be amended to provide as follows:

1. In any zoning district other than the I-C District, automotive vehicles or recreational vehicles of any kind or type without current registration and current inspection shall not be parked or stored other than in completely enclosed accessory buildings.
2. In any zoning district, all off-street parking areas shall be reserved and used for vehicle parking only. No display or storage of merchandise, sales or other storage of any type shall be permitted. Dismantling or storage of any vehicle or materials is prohibited on residential dwelling lots, excluding routine daily maintenance of vehicles owned by the occupant of the dwelling.
3. On a residential dwelling lot, the parking of:
  - (a) One commercial vehicle up to 19,500 pounds gross vehicle weight is permitted by an individual for his livelihood for a business not conducted on the premises. A commercial vehicle includes a trailer as that term is defined in the Vehicle Code.
  - (b) One recreational vehicle including boats are permitted for storage purposes only and is not to be used for sleeping, recreational, or living purposes at any time or in any way, shape, or form.
  - (c) Within the ES Ecologically Sensitive District, A-1 Agricultural District, A-2 Agricultural District, or OS Woodland District, one commercial vehicle up to 80,000 pounds gross vehicle weight associated with an approved independent contractor truck driver accessory use meeting the requirements of §27-2008.
  - (d) Any parking of commercial vehicles on a residential dwelling lot in excess of those specifically permitted shall be deemed to constitute a commercial use of the entire property and shall be subject to legal action as in the case of all other illegal uses.

4. No boats, campers, recreational vehicles, trailers, and/or trucks with more than two axles (except personal pickup trucks) shall be stored within any front yard area of a residential dwelling lot. No boats, campers, recreational vehicles, trailers, and/or trucks with more than two axles shall be parked or stored on any grass area.

Section 8. The West Cocalico Township Code of Ordinances, Chapter 27, Zoning, Part 20, Accessory Use Regulations, §27-2002, Detached Private Garages and Other Accessory Buildings, shall be amended to provide as follows:

§27-2002. Detached Private Garages and Other Accessory Buildings.

1. Detached private garages and other residential accessory buildings shall be permitted in any zoning district provided the following requirements are met:
  - A. Detached private garages and other residential accessory buildings may be constructed on any residential lot on which a dwelling is constructed.
  - B. Maximum height - Within the A-1 and A-2 Agricultural Districts, the ES - Ecologically Sensitive District, and the OS - Woodland District, 35 feet. Within all other zoning districts, 18 feet. However, the height may be increased to no greater than 24 feet, provided that the required distance for each front, side, and rear yard setback is increased one foot for each one foot of additional building height above 18 feet.
2. Residential Accessory Buildings. The following regulations apply to residential accessory buildings which typically include unattached accessory storage sheds, provided that the shed does not exceed a maximum of 288 square feet, and a height of eight feet to the square.
  - A. No residential accessory buildings shall be located between the front wall of the principal building and the building setback line of the subject parcel.
  - B. Minimum side and rear yard setbacks: four feet.
  - C. No exterior storage of any material shall be permitted between the residential accessory building and the adjoining property line(s).
3. Detached residential accessory buildings having a maximum gross floor area of 100 square feet or less are permitted on lots containing semi-detached dwellings, attached dwellings, and apartment houses homes provided that:
  - A. They are located no closer to the front lot line than the rear wall of the principal building.
  - B. They are located a minimum of three feet from any side property line formed by a building party wall.
  - C. They conform to all other applicable setbacks.

4. Detached residential accessory buildings having a maximum gross floor area of 100 square feet or less are permitted on lots containing mobile homes provided that:
  - A. They are located no closer to the front lot line than the rear wall of the principal building.
  - B. They are located a minimum of three feet from any side or rear property line.
5. Detached Accessory Buildings on Nonconforming Lots. On existing lots of record where the existing lot width is less than the minimum lot width required in the prevailing zoning district, the minimum distance between a detached accessory building and the side property line may be reduced by the same ratio as the existing lot width is to the minimum required lot width. (Example: on an existing 50-foot wide lot located in a zoning district with a 100-foot minimum width, the minimum side setback would be 50/100, or 50% of the normal minimum side yard.) In no case, however, shall this minimum distance be less than five feet, unless otherwise provided for in this section.

Section 9. The West Cocalico Township Code of Ordinances, Chapter 27, Zoning, Part 20, Accessory Use Regulations, shall be amended by inserting a new §27-2008, Independent Contractor Truck Driver Vehicle Storage as Accessory Use, which shall provide as follows:

§27-2008. Independent Contractor Truck Driver Vehicle Storage as Accessory Use.

An independent contractor truck driver (single vehicle owner-operator use) vehicle storage is permitted as an accessory use to a dwelling subject to all of the following regulations:

1. The owner-operator shall reside on the property where the use is conducted.
2. The use is limited to one commercial vehicle not exceeding 80,000 pounds gross weight.
3. The parking area, queuing area, storage/maintenance building, and any other facilities, including but not limited to fuel storage tanks, for the independent contract truck driver operation shall be subject to the principal building setbacks for the district in which the use is located.
4. When making an application for a zoning permit to establish an independent contractor truck driver storage use, the applicant shall present a plan of the property indicating vehicle turning movements. Such plan shall demonstrate that all movements onto or off of the property to or from any public street shall be in a forward direction. The plan shall demonstrate an adequate queuing area off of the street or road right-of-way to allow the vehicle to exit the lot in a forward direction.

Section 10. The West Cocalico Township Code of Ordinances, Chapter 27, Zoning, Part 23, Criteria for Special Exceptions and Other Selected Uses, §27-2305, Criteria for Specific Uses, shall be amended by adding or revising subsections as follows:

C. Agricultural Related Businesses.

- (1) Where permitted by this Chapter, agricultural related businesses shall meet all of the following criteria.
- (2) An agricultural related business may involve any one of a wide range of uses, so long as the use is designed and directed to support agricultural operations. Such uses may include, but need not be limited to:
  - (a) Agricultural equipment sales and service.
  - (b) Agricultural consultants.
  - (c) Agricultural hardware sales and service.
  - (d) Agricultural planting, harvesting and fertilizing services.
  - (e) Blacksmith shop and farriers.
  - (f) Slaughtering, processing, packaging, storage and wholesaling meat and other agricultural products.
  - (g) Veterinary offices, stables and kennels.
  - (h) Agricultural feed and fertilizer supply and distribution.
  - (i) Grain or feed mills.
  - (j) Facilities for the sale, repair, and service of agricultural equipment, vehicles, feed or supplies.
  - (k) Wholesale agricultural produce sales, stockyards and buying stations.
  - (l) Landscape planning, design, planting and maintenance operations excluding retail sales.
  - (m) Excavating business and equipment storage excluding fill and waste area operations.
- (3) The applicant for an agricultural related business shall provide written information, in sufficient detail as may be required to fully describe the nature of the agricultural related business. Such information shall include, but not be limited to:
  - (a) The goods or services provided.
  - (b) Equipment, machinery and materials used in the agricultural related business.

- (c) The number of employees.
  - (d) Hours of operation.
  - (e) Waste products, including sewage, that will be generated including methods of proper storage and disposal.
- (4) The agricultural related business shall be designed and operated in accordance with the following:
- (a) The area and height regulations as provided in the applicable zoning district except as follows:
    - [1] The maximum building coverage shall be fifty percent (50%) or 10 acres, whichever is less.
    - [2] No portion of any area associated with the agricultural related business shall be located within 100 feet of any side or rear lot line or 300 feet of any structure used for any residential use and/or any residentially-zoned property.
    - [3] No shrub or tree shall be planted within 20 feet or 30 feet, respectively, of any adjoining land within any Agricultural District.
  - (b) The industrial performance standards provided in Part 12.
  - (c) Except as provided elsewhere in this Section, no new building for housing livestock, area for the processing or storage of manure, garbage or spent mushroom compost, structures for the raising of feedstock or the cultivation of mushrooms, or new slaughter area shall be permitted within 500 feet of any adjoining residential structure and/or residentially-zoned property.
- (5) Exterior storage of goods and materials shall be permitted only within the side and rear yards. Exterior storage of goods and materials shall not be permitted within any required yard or setback. Exterior storage of goods and materials shall screen in accordance with the requirements of Part 21 if from all adjoining residential structures within 250 feet.
- (6) Exterior display of finished product for sale shall occupy an area that is no more than twenty (20%) percent of the gross floor area of the business. The exterior display area shall not be located within the required front yard building setback nor any required parking area and it shall be surfaced with an all-weather, dust free material.
- (7) The agricultural related business shall occupy no more than 20 acres of lot area, including all access drives, exterior storage areas, required buffering

and screening, or any other area used as part of the agricultural related business but excluding storm water management facilities.

- (8) All access drives leading onto the site shall have a paved minimum 24 foot wide cartway for a distance of at least 100 feet from the street right-of-way. If portions of interior of interior access drives are unpaved, then a 50 feet long stone section of access drive shall be placed just beyond the preceding 100 feet paved section.
- (9) Off-street parking and loading spaces shall be provided in accordance with the requirements of Part 18 of this Chapter.
- (10) The agricultural related business shall also comply with all other applicable provisions of this Chapter, Chapter 22, Subdivision, Land Development, and Chapter 23, Storm Water Management.
- (11) Review by the "first run" emergency services providers is required. The applicant shall address the emergency providers' comments to the satisfaction of the Township.

D. Agritainment.

- (1) Any use proposed under this section may not otherwise be permitted by right, special exception or conditional use within the A-1 Agricultural District.
- (2) No new buildings shall be permitted.
- (3) Proposed activities shall be located so that the amount of land capable of being used for agricultural production that is proposed to be converted is minimized.
- (4) The development of an agritainment use must be principally oriented around a farm (dwelling, barns, other buildings, and land) that existed as of September 7, 2011.
- (5) The applicant shall provide a traffic control plan, including reflective directional signage meeting requirements of PennDOT and the Manual of Uniform Traffic Control Devices addressing intersections and potential stacking on any road system within one mile of the property.
- (6) Minimum lot area: five acres.
- (7) Maximum lot area: 10 acres.
- (8) Maximum lot coverage: 50%.
- (9) All buildings, structures, off-street parking and loading areas shall be set back at least 100 feet from any adjoining property lines, and 300 feet from any adjoining residences or residentially zoned property.
- (10) The applicant shall furnish evidence of an approved means of water supply

and sewage disposal to serve all proposed uses.

- (11) The applicant shall provide for sufficient off-street parking spaces and off-street loading spaces for all of those uses proposed according to the off-street parking and loading provisions of this chapter. All off-street parking and/or loading areas shall be screened from adjoining residences and from adjoining roads. The Supervisors may require an unimproved grassed overflow parking area to be provided for peak use periods. Such overflow parking areas shall be accessible only from the interior driveways of the permanent parking lot. Overflow parking areas shall contain fencing to prevent vehicles from crossing adjoining properties or directly accessing adjoining roads.
- (12) Any booths or other structures used for the collection of admission and/or parking fees shall be set back and arranged to prevent vehicle back-ups on adjoining roads during peak arrival periods. Any other collection of fees (roaming parking lot attendants) shall be conducted in a manner to prevent vehicle back-ups on adjoining roads.
- (13) The applicant shall furnish evidence of the provision of adequate public safety services including trained volunteers and paid professionals, whether public or private.
- (14) Any outside pedestrian waiting lines shall be provided with a means of shade.
- (15) The total area devoted to retail sales shall not exceed 2,000 square feet.
- (16) The applicant shall submit and continuously implement a working plan for the cleanup of litter and other debris.
- (17) No part of an agritainment use shall be located within one mile of another.
- (18) The Zoning Hearing Board will approve the proposed use(s) only upon finding that the site and buildings provide for a logical location for such use(s) that can be effectively accommodated without adverse impact to adjoining uses, due to hours of operation, noise, light, litter, dust and pollution.
- (19) For any such activities planned or anticipated to have attendance of more than 200 persons at any one time during a day, an event plan addressing parking, proposed days of operation, ingress and egress, sanitation and other public safety issues shall be filed annually with the zoning officer, servicing fire company, emergency medical service provider, and any local law enforcement agency at least 30 days prior to the start of any agritainment activities in each calendar year.

E. Agri-venue.

- (1) Any agri-venue business operation must at all times remain secondary, subordinate, incidental and accessory to the active agricultural or farming principal use of the property.



- (2) No more than one structure capable of human occupation involved or utilized in the agri-venue business operation except arbors and gazebos may be utilized on the property at any one time.
- (3) An agri-venue business may only be operated on a parcel of land that would meet the definition of a "farm" as provided in §27-202.
- (4) No new permanent structures shall be constructed for the agri-venue use other than small structures such as arbors and gazebos.
- (5) Agri-venue uses shall be owned or operated by the landowner or a member of the landowner's immediate family.
- (6) All activities, buildings, structures (except driveways and permitted signs), off-street parking and loading areas associated with the agri-venue use shall be set back at least 100 feet from any adjoining property line, and at least 300 feet from any adjoining residence or residentially zoned property.
- (7) No agri-venue shall operate more than 45 days per calendar year, but it may host more than one activity on any one of such days.
- (8) No on-street parking shall be permitted.
- (9) The property on which an agri-venue is conducted must have the amount of frontage upon a public road required by this Chapter, and all vehicular access to the agri-venue must be to and from a public road.
- (10) No new access or driveway may be created (except for paving an existing driveway) for the use of the agri-venue. An existing driveway may be relocated in accordance with the requirements of Chapter 22, §22-604.
- (11) Every agri-venue shall provide sanitary facilities and running water, for the patrons of same, but not including those provided within any dwelling on the property. The applicant shall have the burden to prove that the water is potable and the sanitary facilities are connected to a sewage disposal system capable of processing all waste generated by the agri-venue use. If, however, the use is limited to five or fewer events during a calendar year, then approved temporary sanitary facilities, and liquid refreshments transported to the event, may be utilized.
- (12) All signage shall comply with the requirements of Part 17 of this chapter.
- (13) All off-street parking and loading shall comply with the requirements of Part 18 of this chapter.
- (14) An applicant has the burden to establish that the proposed agri-venue use shall not have a detrimental impact on the citizens of the Township due to traffic generated, numbers of attendees, hours of operation, noise, light, litter, dust and pollution.
- (15) A satisfactory trip generation and site access analysis, prepared in accordance with Chapter 22, Subdivision and Land Development, shall be

provided at the time of the special exception hearing before the Zoning Hearing Board. The traffic analysis shall include:

- (a) The total average daily trips (ADT);
  - (b) The available minimum safe stopping sight distances at the point of existing or proposed site access; and
  - (c) Demonstration that the site access meets or exceeds applicable safe stopping sight distance requirements.
- (16) All buildings within which the agri-venue business is conducted shall be in compliance with Pennsylvania Uniform Construction Code in effect at the time the application is presented.

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HH. Home Occupations, On-Farm Occupations and Rural Occupations.

- (1) The applicant shall demonstrate to the satisfaction of the Zoning Hearing Board that the proposed home occupation, on-farm occupation or rural occupation meets the following requirements:

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- (m) All off-street parking and loading spaces shall conform to Part 18 of this Chapter.

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- (r) The following general standards shall apply to an in-home, on-farm, and rural occupations:

[1] An in-home, on farm or rural occupation may involve any one of a wide range of uses and may include, but need not be limited to:

- [a] Landscaping maintenance business.
- [b] Excavating business and equipment storage excluding fill and waste area operations.
- [c] Bakery.
- [d] Dry goods.
- [e] Manufacturing.
- [f] Woodworking.
- [g] Welding.

- [2] No manufacturing, mechanical processing or industrial uses shall be permitted which causes any: noise greater than normal background noise; odor; emission of gases; glare; heat; fumes; smoke; dust; vibration; electromagnetic interference; or, storage use or generation of any hazardous material, that is noticeable at or beyond the closest property line.
- [3] Excluding wastewater treatment, no use that requires application or permitting by the PA DEP for the handling of hazardous waste or other substances shall be permitted.
- [4] No discharge is permitted into a sewage or storm water management system, stream, open body of water, or into the ground of any materials in such a way or of such nature or temperature as could contaminate any water supply or damage or be detrimental to any sewage system or any sewage treatment plant, or otherwise could cause the emission of dangerous objectionable elements.
- [5] The operator of the occupation shall not allow a nuisance condition to be created in terms of excessive noise, dirt, or odor. Additionally, the on-farm occupation shall be conducted in a manner which does not allow the accumulation of trash and debris. All trash generated by the occupation shall be disposed of in trash cans with lockable lids or dumpsters. Trash disposal areas (trash cans with lockable lids or dumpsters) shall be located within a side or rear yard only and shall be completely enclosed within a masonry or fenced enclosure equipped with a self-latching door or gate.

\* \* \*

(s) Home Occupations.

\* \* \*

- [7] Home occupations shall be limited to those occupations customarily conducted within a dwelling unit. These uses shall include, but are not limited to:
  - [a] Artists and artisans.

- [b] Beauticians and barbers.
- [c] Office facilities, excluding medical offices and dental offices.
- [d] Individual tutoring provided that there are no more than two (2) students at any time.
- [e] Preparation of food or food products to be sold or served off-site.
- [f] Individual musical instruction provided that no instrument shall be amplified to be audible outside of the dwelling or accessory building.
- [g] Dressmaking, sewing, and tailoring.
- [h] Uses not listed that, in the determination of the Zoning Officer, are considered to be of the same general character as the home occupations listed herein.

\* \* \*

(t) On-Farm Occupations.

- [1] On-farm occupations shall comply with the following specific regulations:
- [2] The primary economic activity of the subject tract shall be agricultural. The on-farm occupation shall be an accessory use and shall remain secondary to the principal agricultural use and shall not change or reduce the exterior farm character.
- [3] The on-farm occupation shall be conducted and owned by the farmer in residence on the property.
- [4] The maximum building footprint area of the building constructed for any on-farm occupation shall not exceed 5,000 square feet. The on-farm occupation shall, to the greatest extent practicable, be located within existing conforming accessory buildings on the farm.
- [5] New buildings or additions to existing buildings shall be permitted. If the proposed on-farm occupation requires the construction of new buildings or additions to existing buildings, the applicant shall

provide information justifying that the location of the proposed construction does not unnecessarily utilize existing agricultural lands and/or does not have an adverse effect upon the existing agricultural uses of the farm. Any new building constructed for use by the on-farm occupation shall be of a design so that it can be readily converted to agricultural use, or removed, if the farm occupation is discontinued.

- [6] Any structure used for the on-farm occupation shall be located at least 100 feet from any property line and the legal right-of-way line.

(u) Rural Occupations.

- [1] Rural occupations shall comply with the following specific regulations:
- [2] Only one (1) rural occupation may be conducted on the same property as the owner/operator's principal single-family detached dwelling. The gross floor area of the rural occupation shall not exceed 3,200 square feet.
- [3] If a new building is constructed for the rural occupation, it shall be located to the side or rear of the principal residence.
- [4] Rural occupations shall only be conducted between the hours of 6:00 a.m. and 9:00 p.m., Monday through Saturday.

\* \* \*

EEE. Adaptive reuse of agricultural buildings:

- (1) The applicant shall demonstrate that the building existed on September 7, 2011.
- (2) No agricultural building may be adapted or reused for residential purposes.
- (3) The use proposed for the agricultural building must be permitted within the Township, although such use does not have to be permitted within the district in which the agricultural building is located. If the proposed adaptive reuse of an agricultural is for a use permitted by right or special exception in the district in which the agricultural building is located, the applicant shall comply with all requirements for such use. It is the intent of this provision that the applicant may not avoid requirements for a particular

use by locating the use within an existing agricultural building.

- (4) Any number of uses may be permitted under this section provided the applicant presents credible evidence to the satisfaction of the Zoning Hearing Board that such multiple uses are designed and developed to function in a coordinated fashion and the uses are not incompatible.
- (5) Any use proposed under this section that has specific criteria applied to it within other districts shall comply with such specific criteria.
- (6) The applicant shall provide credible evidence of an approved water supply and sewage disposal system.
- (7) The applicant shall provide for sufficient off-street parking and off-street loading spaces as required by this chapter.
- (8) The applicant shall obtain any necessary land development approval.
- (9) The applicant may not adapt an agricultural building for any use which would require special permitting or approvals from the state or federal government.

Section 11. All other sections, parts and provisions of the Code of Ordinances of the Township of West Cocalico shall remain in full force and effect as previously enacted and amended.

Section 12. 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 13. 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 18<sup>th</sup> day of April, 2023,  
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: Jeffrey F. Dander  
(Assistant) Secretary

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

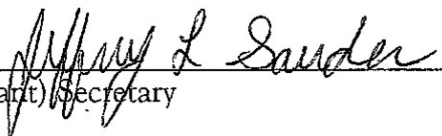
[TOWNSHIP SEAL]

**CERTIFICATE**

I, the undersigned, (Assistant) Secretary of the Township of West Cocalico, Lancaster County, Pennsylvania ("Township") certify that: The foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township which duly was enacted by affirmative vote of a majority of the members of the Board of Supervisors of the Township of West Cocalico at a meeting duly held on the 18<sup>th</sup> day of April, 2023; that such Ordinance has been duly recorded in the Ordinance Book of the Township; such Ordinance has been duly published as required by law; and such Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

I further certify that the Board of Supervisors of the Township of West Cocalico met the advance notice and public comment requirements of the Sunshine Act, 65 Pa. C.S. §701 et seq., as amended, by advertising the date of said meeting, by posting prominently a notice of said meeting at the principal office of the Township of West Cocalico or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting prior to enacting such Ordinance.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township of West Cocalico, this 18<sup>th</sup> day of April, 2023.

  
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(Assistant) Secretary

[TOWNSHIP SEAL]