

**HEIDELBERG TOWNSHIP, LEBANON COUNTY, PENNSYLVANIA**

**ORDINANCE No. \_\_\_\_\_**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF HEIDELBERG TOWNSHIP, IN THE COUNTY OF LEBANON, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE ZONING ORDINANCE AND ZONING MAP.**

WHEREAS, on December 18, 2018, the Board of Supervisors adopted an update to the Heidelberg Township Comprehensive Plan, and said Plan recommended the review of the existing Heidelberg Township Zoning Ordinance and amendments to the existing Heidelberg Township Zoning Map, and

WHEREAS, the Heidelberg Township Planning Commission reviewed the existing Heidelberg Township Zoning Ordinance and amendments to the existing Heidelberg Township Zoning Map and proposed amendments to said Ordinance and said Map; and

WHEREAS, after a public hearing to consider the issues, and consideration of all the comments, testimony, and information provided to the Board of Supervisors by the public, the Heidelberg Township Planning Commission, and the Lebanon County Planning Department, the Board of Supervisors has determined that it is in the public interest to amend the Zoning Ordinance (and Zoning Map to make these proposed amendments.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Heidelberg, and it is hereby enacted and ordained as follows:

**Section 1.** The following definitions in Section 202 are hereby revised to read as follows:

CONVENIENCE STORE. A retail use that primarily sells routine household goods, groceries, and ready-to-eat foods to the general public, but that is not primarily a restaurant, and that includes a building that complies with the provisions of this Zoning Ordinance.

DOG KENNEL. See "Kennel".

SELF-SERVICE STORAGE FACILITY. See "Mini-Warehouse".

**Section 2.** The following new definitions are hereby added to Section 202 to read as follows:

AGRITAINMENT/AGRITOURISM ENTERPRISE. An enterprise conducted upon, and accessory to, an active principal agricultural operation or agri-business use, providing a combination of agriculture, entertainment, education, recreation, or

active involvement elements, characteristics, and experiences related to the agricultural operation or agri-business.

**AIRPORT.** Any area of land or water which is used, or intended to be used, for the landing and takeoff of aircraft and any appurtenant areas which are used, or intended to be used, for airport buildings or navigation facilities or rights-of-way, together with all airport buildings and facilities thereon.

**HELIPORT.** A defined area to accommodate all phases of operation of rotor-wing aircraft or helicopters, with sufficient space for all required safety controls and maneuvers in accordance with all state and federal requirements, as well as to allow for the provision of service facilities.

**MINI-WAREHOUSE.** A building or group of buildings that are divided into individual accessible units, each of which unit is available for rent or lease to the public for the self-storage of tangible personal property. All such storage facilities shall not be used for processing, manufacturing, sales, research and development testing, service and repair, or other non-storage activities.

**RETREAT CENTER.** A facility used for professional, educational, or religious conclaves, meetings, conferences, or seminars and which may provide meals, housing, and recreation for participants during the period of the retreat or program only. Such centers may not be utilized by the general public for meals or overnight accommodations. Housing for participants may be in lodges, dormitories, sleeping cabins (with or without baths), or in such other temporary quarters as may be approved, but kitchen and dining facilities shall be located in a single centrally located building or buildings.

**TINY HOUSE.** A dwelling unit placed on a property for occupancy with a habitable floor area between 150 square feet and 400 square feet constructed with a foundation or on wheels.

**Section 3.** Section 602 is hereby amended to add a new subsection 602 Q. to read as follows:

Q. Agritainment/Agritourism Enterprises, subject to the conditions listed in Section 1936 of this Ordinance.

**Section 4.** Section 603 is hereby amended to delete subsection 603 I.

**Section 5.** Section 604 is hereby amended to add a new subsection 604 C. to read as follows:

- C. Farm-based businesses, subject to the conditions listed in Section 1916 of this Ordinance.

**Section 6.** Section 702 is hereby amended to add a new subsection 702 Q. to read as follows:

- Q. Agritainment/Agritourism Enterprises, subject to the conditions listed in Section 1936 of this Ordinance.

**Section 7.** Section 703 is hereby amended to delete subsection 703 I.

**Section 8.** Section 704 is hereby amended to add a new subsection 704 B. to read as follows:

- B. Farm-based businesses, subject to the conditions listed in Section 1916 of this Ordinance.

**Section 9.** Section 902 is hereby amended to add a new subsection 902 C. to read as follows:

- C. Tiny homes, which must be in mobile home parks, subject to the conditions listed in Section 1936 of this Ordinance.

**Section 10.** Section 1202 is hereby amended to revise subsection 1202 E. to read as follows:

- E. Vehicle dealers, repair shops, body shops, parts centers, and supply centers.

**Section 11.** Section 1202 is hereby amended to add a new subsection 1202 L. to read as follows:

- L. Convenience stores subject to the requirements of Section 1934 of this Ordinance.

**Section 12.** Section 1202 is hereby amended to add a new subsection 1202 M. to read as follows:

- M. Vehicle washing centers (car washes) subject to the requirements of Section 1935 of this Ordinance.

**Section 13.** Section 1302 is hereby amended to revise subsection 1302 B. to read as follows:

- B. Warehousing and wholesaling establishments and storage yards not including salvage yards.

**Section 14.** Section 1302 is hereby amended to add a new subsection 1302 C. to read as follows, and to renumber the subsequent subsections:

- C. Mini-Warehouses subject to the requirements of Section 1937 of this Ordinance.

**Section 15.** Section 1303 is hereby amended to revise subsection 1303 A. to read as follows:

- A. Salvage yards subject to the requirements of Section 1920 of this Ordinance.

**Section 16.** Section 1303 is hereby amended to add a new subsection 1303 D. to read as follows:

- D. Airports and heliports subject to the requirements of Section 1933 of this Ordinance.

**Section 17.** Article 13 is hereby amended to add a new Section 1304 to read as follows, and to renumber the subsequent subsections:

SECTION 1304. CONDITIONAL USES

The following uses are permitted, as Conditional Uses, upon issuance of a permit by the Board of Supervisors as provided in Article 19 of this Ordinance:

- A. The outdoor storage and/or parking of recreational vehicles, boats, campers, trailers or similar vehicles accessory to a mini-warehouse, subject to the requirements of Section 1937 of this Ordinance.

**Section 18.** Renumbered Section 1305 is hereby amended to revise subsection 1305 B. to read as follows:

- B. Yard Regulations For every main or accessory building or use in an Industrial District, the minimum yard regulations are as follows:

1. Front yards, measured from the lot line to the building line, shall be as follows:
  - a. Not less than fifty (50) feet along any public road and not less than twenty-five (25) feet along any private road, provided that a recorded written ownership and maintenance agreement is made among all property owners using the private road.
  - b. Not less than one hundred fifty (150) feet if opposite a Residential District.
  - c. Off-street parking may be provided in the front yard, subject to the following setbacks:
    - (1) Twenty-five (25) feet from a public road right-of-way line.
    - (2) Ten (10) feet from a private road right-of-way line.Loading is prohibited in the front yard.
2. Side yards shall be provided in the Industrial Districts as follows:
  - a. Not less than fifty (50) feet in width on each side of the building; except, if the side yard adjoins another lot in the Agricultural District, Agricultural Transitional District, Highway Commercial District or Industrial District the side yard shall not be less than twenty-five (25) feet.
  - b. Where a side yard adjoins a Residential District, the side yard shall be no less than one hundred (100) feet in width.
  - c. No building or structure permitted in an Industrial District shall be located less than one hundred fifty (150) feet from any residential district.
3. Rear yards of fifty (50) feet in width shall be provided, except if the rear yard adjoins another lot in the Agricultural District, Agricultural Transitional District, Highway Commercial District or Industrial District the rear yard shall not be less than twenty-five (25) feet.
4. Parking may be provided in any required side or rear yard that does not adjoin a residential district. In cases where the yard adjoins a public roadway and is not opposite a residential district, parking may be provided in the side or rear yard as long as it is at least twenty-five (25) feet from the street right-of-way line.

5. All front yards shall be appropriately landscaped and well maintained. Side and rear yards shall be well maintained and may be developed for recreational purposes, to within fifty (50) feet of the property line.

**Section 19.** Renumbered Section 1305 is hereby amended to revise subsection 1305 C. to read as follows:

- C. Side and Rear Yard Exception In a case where two (2) or more industrial buildings could compatibly abut each other, no side or rear yard is required between them, provided that a recorded written agreement is made between the affected property owners regarding rights of access and maintenance.

**Section 20.** Article 14 is hereby amended to delete existing Sections 1401 through 1418 and to replace them with the following new Sections 1401 through 1403 to read as follows:

SECTION 1401. GENERAL PROVISIONS

The Floodplain District shall encompass all lands and land developments within Heidelberg Township (1) which are located within the boundary of a floodplain area as shown on the Flood Insurance Rate Maps (FIRMs) which accompany the Flood Insurance Study (FIS) prepared for the Township by the Federal Emergency Management Agency (FEMA), dated July 8, 2020, (or the most recent revision thereof), which map is incorporated herein by reference and, (2) any Community Identified Flood Hazard Areas.

SECTION 1402. CONFORMANCE WITH OTHER REGULATIONS

Uses permitted and procedures to follow for development in the Floodplain District are presented in the Heidelberg Township Floodplain Management Ordinance, as amended. Said Ordinance supplements other articles of this Zoning Ordinance. To the extent that the Heidelberg Township Floodplain Management Ordinance imposes greater requirements or more complete disclosures in any respect, or to the extent that the provisions of said Ordinance are more restrictive, it shall be deemed and interpreted to control other provisions of this Zoning Ordinance and the Heidelberg Township Subdivision and Land Development Ordinance.

SECTION 1403. OVERLAY CONCEPT

The Floodplain District described above shall be an overlay to the existing underlying districts, as shown on the Official Heidelberg Township Zoning Map, and, as such,

the provisions of the Heidelberg Township Floodplain Management Ordinance shall serve as a supplement to the underlying district provisions.

- A. In the event of any conflict between the provisions or requirements of the Floodplain District and those of any underlying zoning district, the more restrictive provisions shall apply.
- B. In the event any provision concerning a Floodplain District is declared inapplicable or illegal as a result of any legislative or administrative actions or judicial decision, the regulations of the underlying district shall remain applicable.

**Section 21.** Section 1621 is hereby amended to revise subsection 1621 B.1. to read as follows:

- 1. Conservation Recreation (CR), Agricultural Transition (AT), Agricultural (A), Low Density Residential (RLD), Special Purpose Residential (RSP), and Village Residential (VR) Districts
  - a. One (1) sign advertising a permitted home business provided such sign shall not exceed four (4) square feet in area.
  - b. One (1) sign or bulletin board of religious institutions, schools, colleges, farms, hospitals, nursing homes, medical and dental clinics, private park and recreation area, libraries, municipal uses and other special exception uses (other than home businesses) shall be permitted subject to the following:
    - (1) One (1) sign for each lot not exceeding twenty (20) square feet in area. Such sign is not to be placed closer than fifteen (15) feet to any street cartway or twenty-five (25) feet to any side or rear lot line.

**Section 22.** Section 1622 is hereby amended to add a new subsection 1622 G. to read as follows:

G. Agreement

The Resident shall execute a Heidelberg Township Elder Cottage Housing Agreement and record said Agreement in the Lebanon County Recorder of Deeds office.

**Section 23.** Article 16 is hereby amended to add a new Section 1623 to read as follows:

SECTION 1623. DEER (CERVID) FARMING REGULATIONS

- A. Purpose. Chronic wasting disease presents a significant risk to both wild and raised deer and cervidae livestock (deer, elk, moose, reindeer, caribou, and the hybrids of such animals). Portions of the Township are located within a Chronic Wasting Disease Management Area. The Board of Supervisors desires to address this issue.
- B. All properties on which deer or any other cervid is maintained shall maintain such animals in an enclosure surrounded by two (2) perimeter fences which shall be at least four (4) feet and not more than eight (8) feet apart. Such fences shall be constructed of such material, strength and design to contain the animals within the enclosure, to prevent transmission of disease by contact between the captive animals and wild cervids; and to prevent wild cervids from entering the enclosure. Each fence shall have a minimum height of eight (8) feet. Such fencing shall be installed within ninety (90) days after the effective date of this Section.
- C. The landowner shall follow all applicable nutrient management regulations and shall have a conservation plan. The conservation plan shall be prepared by a certified individual and shall be submitted to the Township.
- D. The landowner shall maintain the enclosure for the deer or other cervid in a non-erodible condition.
- E. The landowner shall keep all captive animals free from parasites, sickness or disease. If sick, the animals shall be given professional medical attention or be humanely destroyed and, where required, tested for chronic wasting disease.

**Section 24.** Article 18 is hereby amended to add a new Section 1812 to read as follows:

SECTION 1812. SCREENING AND LANDSCAPING

- A. Parking areas for non-residential uses, which are designed to contain more than five (5) vehicles shall be screened from adjacent land areas within the CR, A, AT, RLD, RSP, VR, and VC Zoning Districts. The screening shall be comprised of a fence, wall and/or landscaping materials of at least four (4) feet in height, which shall be designed to obstruct headlight glare of the parked cars.
- B. Off-street parking areas shall be suitably landscaped in order to enhance or buffer the surrounding area. Raised concrete or curbed planter islands shall be placed at each end of a row of parking spaces,



which begins or terminates at an internal circulation drive, and within each row of parking spaces. The raised planter islands shall be placed so that there are not more than fifteen (15) off-street parking spaces in a continuous row without an intervening landscaped planter island. The raised continuous concrete curbing shall be required around each planting island. Each such island shall be at least one hundred sixty-two (162) square feet in size and planted with landscaping materials.

- C. Landscape islands shall be required every 15 parking spaces.
- D. The design of the landscaping strip shall be subject to the approval of Heidelberg Township.

**Section 25.** Section 1916 is hereby amended to revise subsection 1916 A. to read as follows:

- A. The primary economic activity of the subject tract shall be agricultural and shall be at least twenty-five (25) acres in area.

**Section 26.** Section 1916 is hereby amended to add a new subsection 1916 B. to read as follows, and to renumber the subsequent subsections:

- B. For the purposes of this Ordinance, farm-based businesses may involve the following uses:
  - 1. Facilities for the service and repair of farm machinery and equipment, and small engines.
  - 2. Facilities contributing to the agrarian lifestyle characteristic of the residents of Heidelberg Township. Such facilities include, but are not limited to:
    - a. Arts and crafts manufacturing, with a retail sales display area not to exceed 1,000 square feet.
    - b. Hat shops.
    - c. Blacksmith and tool-sharpening shops.
    - d. Carriage, buggy, wagon and related appurtenances manufacturing, sales and service.
    - e. Carpenters.

- f. Woodworking, furniture, and cabinetmaking shops.
- g. Metalworking shops.
- h. Country housewares, hardware and dry goods stores with retail display area not exceeding 1,000 square feet.
- i. Butcher shops.
- j. Tailor and shoe shops.
- k. Grain mills.
- l. Processing of locally produced agricultural products.
- m. Veterinary offices which primarily treat farm animals; stables; kennels.
- n. Feed supply, feed and fertilizer distribution.

**Section 27.** Section 1916 is hereby amended to revise renumbered subsection 1916 C. to read as follows:

- C. No more than two (2) acres of land shall be devoted to such use, including areas used for structures, parking, storage, display, setbacks, landscaping, etc. However, any lane serving the farm-related business and a home and/or farm contained upon the same lot shall not be included as lot area devoted to the farm-based business.

**Section 28.** Section 1916 is hereby amended to revise renumbered subsection 1916 D. to read as follows:

- D. The farm-based business shall be conducted and owned by the farmer in residence on the property.

**Section 29.** Section 1917 is hereby amended to revise subsection 1917 A. to read as follows:

- A. A minimum lot area of 200 acres for golf courses, 25 acres for retreat centers, and a 10-acre minimum for all other uses.

**Section 30.** Section 1930 is hereby amended to revise subsection 1930 B. to read as follows:

- B. Breeding kennels shall not be permitted on tracts of less than twenty-five (25) acres. Boarding kennels may be located on tracts of two (2) acres or greater provided that such facilities are limited to not more than twenty-five (25) adult dogs. The minimum lot size for boarding kennels housing more than twenty-five (25) adult dogs must be increased by one (1) additional acre for every twenty-five (25) adult dogs or portion thereof.

**Section 31.** Article 19 is hereby amended to add a new Section 1933 to read as follows:

SECTION 1933. AIRPORTS AND HELIPORTS

Airports and heliports are subject to the following criteria:

- A. An airport or heliport shall be permitted as a Special Exception within the Industrial (I) Zoning District.
- B. The following general provisions shall apply to airports and heliports:
  - 1. A minimum of twenty-five (25) contiguous acres of land shall be required to accommodate an airport or heliport facility.
  - 2. Airports and heliports shall be serviced by public or on-lot sanitary sewer facilities, which shall be consistent with any plans and ordinances adopted by Heidelberg Township.
  - 3. Airports and heliports shall be serviced by public or on-lot water facilities, which shall be consistent with any plans and ordinances adopted by Heidelberg Township.
  - 4. All other utility provisions shall be planned and installed in accordance with the specifications of the public utility provider supplying service.
  - 5. Unless otherwise specified in this Ordinance, airports and heliports shall comply with all other pertinent areas, bulk and height requirements of the Industrial District.
  - 6. All airports and heliports shall comply with the provisions of the Airport Hazard Overlay District provisions of this Ordinance.
  - 7. All facility operations shall be reviewed and permitted by the Federal Aviation Administration and the Pennsylvania Department of Transportation.

- C. The following setback requirements shall apply to all airports and heliports:
1. All buildings, runways, landing strips, landing pads and/or other accessory structures related to the airport or heliport shall be located at least one hundred (100) feet from all street right-of-way lines and property lines.
  2. With the exception of existing lots of record, no residential dwelling or facility where children regularly congregate shall be permitted within or vertically below any designated runway approach surface zone for a distance of five hundred (500) feet from the end of the designated primary surface zone for the runway, as established by either the Pennsylvania Department of Transportation, Bureau of Aviation, or the Federal Aviation Agency, whichever is greater.
  3. Storage and sale of aviation fuels is permitted provided any such storage and sales area is located a minimum distance of one hundred (100) feet from any street right-of-way line or lot line and such storage and sale complies with all prevailing regulations.
- D. The following general provision shall also apply to airports and heliports:
1. Any areas to be used by aircraft or helicopters under their own power shall be provided with a ~~dustless~~ stabilized surface.
  2. All outdoor storage, parking and loading areas shall be screened from adjoining properties that are within a residential zoning district. The landscaping screen or buffer yard shall be designed to provide a complete visual barrier within five (5) years of the initial planting. Areas designated for aircraft parking or tie-down space shall not be considered as outdoor storage, parking or loading area.
  3. Vending machines, snack bars, newsstands, government installations, air service and industry offices, and aircraft repair facilities may be permitted within completely enclosed buildings where the Zoning Hearing Board determines that the facility is directly related to the services provided by the airport or heliport.
  4. Exterior storage areas for trash and rubbish shall be properly screened with secured fencing and landscaping materials. All containers shall be enclosed, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. Areas for trash and rubbish shall be located at least fifty (50) feet from any property line or street right-of-way line.
- E. As part of the special exception application, the Zoning Hearing Board may require additional conditions and safeguards in order to protect and promote

the health, safety and welfare of the community and the character of the neighborhood in which the proposed airport or heliport facility is to be erected.

**Section 32.** Article 19 is hereby amended to add a new Section 1934 to read as follows:

SECTION 1934. CONVENIENCE STORES

Convenience stores shall be permitted as follows:

- A. Convenience stores shall be permitted by right within the Highway Commercial (HC) Zoning District.
- B. The following utility provisions shall apply to a convenience stores:
  - 1. The convenience store shall be serviced by public sanitary sewer facilities, which shall be consistent with any plans and ordinances adopted by Heidelberg Township.
  - 2. The convenience store shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by Heidelberg Township.
  - 3. All other utility provisions serving the convenience store shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.
- C. The following provisions shall apply to convenience stores:
  - 1. Unless otherwise specified, all external structures, including the fuel dispensing islands, canopy covering the fuel islands, outdoor storage areas and/or display items (other than the permitted signs) shall comply with the setback, coverage and height requirements of the zoning district on which the building is located.
  - 2. The convenience store shall contain a principal building that complies with the following requirements:
    - a. The principal building shall have a maximum gross floor of not more than seven thousand five hundred (7,500) square feet.
    - b. The area of the principal building shall not include any areas designated as an accessory use and/or as part of the gasoline

pumps including the canopy and fuel service lanes.

3. The canopy covering the fuel pumps shall not exceed the following provisions:
    - a. The canopy shall not exceed a coverage area of seven thousand (7,000) square feet.
    - b. The canopy shall not exceed a height of twenty-five (25) feet. Heidelberg Township may permit a greater canopy height up to thirty (30) feet if the design of the canopy is considered as an architectural or visual enhancement.
    - c. The canopy shall not be located within ten (10) feet of the street right-of-way line and shall comply with the minimum side and rear yard setback requirements for the zoning district on which the canopy is located.
- D. Unless otherwise permitted by Heidelberg Township, the following use limitations and restrictions shall apply to convenience stores:
1. Retail sales of food, groceries, beverages, household products, automobile fuels and accessories, newspapers, magazines, periodicals, and other similar items may be sold within a convenience store.
  2. The sale of gasoline, diesel fuel, kerosene and/or other petroleum products shall be permitted as an accessory use for a convenience store. The maximum number of fueling pumps (one pump shall serve a maximum of two fueling positions only) shall be permitted based upon the size of the building housing the convenience store, which shall be specified as follows:
    - a. Maximum number of fuel pumps – 14
    - b. Maximum number of fueling positions - 28
  3. Automobile repair stations shall not be permitted as a principal use or commercial option for a convenience store.
  4. Indoor and outdoor seating for the consumption of food and beverages shall be permitted as an accessory component of the convenience store.
  5. Vehicle washing facilities shall be permitted as an accessory use in accordance with the provisions specified under Section 1935 of this Zoning Ordinance.

6. A drive-up or drive-through service lane shall only be permitted as part of a convenience store.
  7. The on-site demolishing or dismantling of vehicles for salvage or parts shall be prohibited.
- E. General Requirements: The following general standards shall be required for a convenience store:
1. All merchandise or retail items sold on the premises shall not be located within the street right-of-way and areas designated as vehicular driveways or access lanes. All such areas may be located adjacent to the building provided that the storage of any merchandise does not interfere with the permitted retail sales use and that a five (5) foot minimum width is provided to accommodate pedestrian circulation.
  2. All transactions shall be conducted within the convenience store or at automated fuel pumps.
  3. All permitted materials that are stored outdoors shall be located at least ten (10) feet from the street right-of-way and no closer than ten (10) feet to any property line.
  4. The parking or staging of vehicles within the automobile service lanes, drive through-service lanes or any queuing positions shall not be calculated or considered as part of the off-street parking area.
  5. The use and related activities shall not emit noise, glare, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat and/or other perceptible or objectionable nuisances that would impact neighboring properties, or be noticeable at or beyond the property line
  6. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.

**Section 33.** Article 19 is hereby amended to add a new Section 1935 to read as follows:

SECTION 1935. VEHICLE WASHING CENTERS (CAR WASHES)

Vehicle washing centers (car washes) shall be permitted as follows:

- A. Vehicle washing centers shall be permitted by right within the Highway Commercial (HC) Zoning District.
- B. The following general regulations and restrictions shall apply to a vehicle washing center:
  - 1. The vehicle washing center shall be serviced by public sanitary sewer facilities, which shall be consistent with any plans and ordinances adopted by Heidelberg Township.
  - 2. The vehicle washing center shall be serviced by public water supply facilities, which shall be consistent with any plans and ordinances adopted by Heidelberg Township.
  - 3. Gray water recycling and treatment equipment shall be incorporated as part of the facility operations. All such equipment shall include provisions for the collection of waste, grease, oil, soap, wax, and other materials that can't be recycled or utilized as part of the operations. A minimum of 75 percent of the water used in the operation shall be collected and recycled. None of the water shall flow into any storm sewers.
  - 4. All other utility provisions serving the car wash shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.
  - 5. The vehicle washing center shall comply with all applicable state and Federal regulations.
  - 6. The sale of automobile parts, oil, lubricants and petroleum products may be permitted as an accessory use to a vehicle washing center. No more than twenty-five (25) percent of the gross floor area of the building occupying the vehicle washing center shall be utilized for retail sales or accessory uses.
  - 7. The side and rear lot lines of the development shall be adequately screened with a fifteen (15) foot wide landscaped strip or buffer yard, which shall comply with the provisions of this Zoning Ordinance and the Subdivision and Land Development Ordinance.
  - 8. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other sounds are not audible at any street line or property line.



9. The proposed pre-service or drive-through service lanes shall be designed with sufficient on-site stacking or queuing lanes in order to prevent the traffic congestion and/or the back-ups onto adjoining roads or adjacent properties. Each pre-service or drive-through service lane for the car washing facility shall be at least ten (10) feet in width and one hundred (100) feet in length.
10. A post-washing drying area shall be provided for two (2) vehicles per car washing bay or unit.
11. Any booths or other structures utilized for the collection of admission and/or vehicle wash fees shall be setback and arranged to prevent vehicle back-ups on adjoining roads during peak arrival periods. Any other collection of fees, such as by roaming parking lot attendants, shall be conducted in such a manner as to prevent vehicle backups on adjoining roads. The landowner and operator of the car wash shall be responsible to resolve, mitigate and/or correct any traffic congestion problems that occur on public roads, which are related to the points of ingress and egress to the vehicle washing center.
12. The use and related activities shall not emit noise, glare, vibration, electrical disturbance, electromagnetic interference, dust, smoke, fumes, toxic gas, radiation, heat and/or other perceptible or objectionable nuisances that would impact neighboring properties or be noticeable at or beyond the property line.

**Section 34.** Article 19 is hereby amended to add a new Section 1936 to read as follows:

SECTION 1936. AGRITAINMENT/AGRITOURISM ENTERPRISES

Purpose – Lebanon County’s distinct character and quality resource provides the foundation for developing appropriate types of authentic tourism products that would ensure that the County remains a unique and competitive destination in the future. Any tourism venture or experience that would be permitted in the agricultural areas of the Township must be directly related to supporting the primary use of the farm by interpreting the agricultural heritage of the County and providing a distinctly Lebanon County experience.

A. Uses Permitted by Right

1. U-pick operations.
2. Christmas tree farm/cut your own.
3. Local farm products retail operations (including crafts; food products, garden and nursery products; clothing products; and products that are customarily incidental to the agritainment/agritourism use(s) and

directly related thereto). A minimum of fifty (50) percent of those products shall be produced on the premises.

4. Corn mazes.
  5. Hay rides on the farm property.
  6. Farm-related historical facilities and historical exhibits.
  7. Agriculturally related educational and learning experiences.
  8. On-farm tours with demonstrations of agricultural practices, techniques and methods.
  9. Horseback/pony rides.
- B. Agritainment/agritourism enterprises are only permitted on farms. Farms must be existing and in operation.
- C. Agritainment/agritourism use(s) shall be owned or operated by the landowner, landowner's immediate family member, the operator or employee of the active agricultural operation or agri-business, or a resident of the lot upon which the active agricultural operation or agri-business occurs.
- D. No new buildings are permitted.
- E. Applicants must submit a sketch plan or land development plan identifying the location of the agritainment/agritourism enterprise, all farm buildings, dwellings, existing and proposed driveways, access drives, parking areas, vehicle turn around areas, location of sanitary facilities (if required), and screening and landscaping in accordance with the applicable provisions of this and other relevant Township ordinances.
- F. Parking must be in compliance with Article 18 of this Ordinance. Parking is not permitted in the street right-of-way.
- G. A driveway occupancy permit must be approved by the Township for access to Township roads and must be reviewed by the Board of Supervisors and approved by PENN DOT for access to state roads.
- H. Sanitary facilities shall be provided in accordance with PADEP requirements.
- I. All prepared food available for sale must be prepared in accordance with applicable federal, state, or local regulations. Produce grown on the farm is permitted.
- J. All buildings within which the agritainment/agritourism use(s) are conducted shall be designed and constructed in compliance with the most recent version of the IBC as referenced in the PA UCC adopted by the Township.

- K. To the maximum extent feasible, the agritainment/agritourism use(s) shall be conducted within an existing agriculture building or other accessory building. All portable structures and signs used as part of the agritainment/agritourism use(s) shall be removed or shall be stored in an enclosed structure at the end of the harvesting season.
1. However, any new building constructed for use by the agritainment/agritourism use(s) shall be located no less than fifty (50) feet from any lot line.
  2. Any new building constructed for use by the agritainment/agritourism use(s) shall be of a design so that it is compatible with the surrounding buildings and can be readily converted to another permitted use, or removed, if the agritainment/agritourism use(s) is discontinued.
- L. The maximum permitted size for signs used for the agritainment/agritourism enterprise shall be in compliance with Section 1621 of this Ordinance.
- M. The Applicant shall submit evidence that all state and federal requirements have been met prior to the issuance of a final Certificate of Zoning Compliance. Applicants must consult with the Township's building code officer to determine if a building permit is required for any building proposed as part of the agritainment/agritourism enterprise.
- N. The Applicant shall submit proof of adequate liability insurance.
- O. Special events, fairs and festivals shall comply with the following regulations:
1. Tents or other temporary structures shall comply with all setback regulations for principal buildings in this Ordinance.
  2. All waste, trash and rubbish, tents and temporary structures, and any other displays or exhibits that resulted from the special event shall be removed from the property within 24 hours after the special event has ended.
  3. Overflow parking areas may be on grass surface areas of the lot. The grass surface area which is to be used for overflow parking shall be kept in suitable grass cover and shall not be allowed to degrade to an erodible condition. In the event any portion of the overflow parking area is disturbed, the areas shall be reseeded or planted with sod to ensure the area remains grass surface. Such planting shall occur within one week after the special event has ended. Overflow parking areas shall be enclosed by a temporary barrier fence to prevent the flow of traffic across property lines, all such fences shall be removed

within one week of a special event ending. Overflow parking areas shall be set back at least 25 feet from side and rear property lines.

4. All driveway locations must be permitted under applicable state or local regulations.
- P. No part of an agritainment/agritourism use shall be located within fifty (50) feet of any lot line.
- Q. It shall be the responsibility of the Applicant and/or landowner to prove compliance with these regulations at the time of application for a zoning permit.

**Section 35.** Article 19 is hereby amended to add a new Section 1937 to read as follows:

SECTION 1937. MINI-WAREHOUSES

- A. Mini-warehouses shall be permitted as a principal use by right within the Industrial (I) District.
- B. Permitted Uses: The following provisions shall specifically apply to the permitted and prohibited uses contained within a mini-warehouse facility:
  1. The principal use shall be the self-storage units contained on the lot.
  2. One (1) office area or building may be included within the development site. The office use shall be an accessory use to the self-storage or portable storage facilities.
  3. Mini-warehouse facilities shall be used solely for the storage of personal property. The following uses and activities shall be prohibited:
    - a. On-site auctions, except storage lien auctions.
    - b. Wholesale uses, retail sales uses and garage sales.
    - c. Residential occupancy.
    - d. The storage of flammable, high combustible, explosive or hazardous chemicals shall be prohibited.
    - e. The servicing, repair, or fabrication of motor vehicles, motor cycles, boats, trailers, lawn mowers, appliances, or similar equipment.

- f. The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment. .
  - g. Any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations; retail sales and services; residential uses; and other similar non-compatible uses.
- C. Lot Width, Setback, Coverage and Height Requirements: The mini-warehouse facility use shall comply with the following lot width, setback, coverage and height requirements.
  - 1. The minimum lot width for the mini-warehouse facility shall be two hundred (200) feet.
  - 2. The principal buildings and self-storage facilities located on the lot occupied by the mini-warehouse facility use shall be located at least fifty (50) feet from all street rights-of-way lines.
  - 3. The outdoor storage and/or parking of recreational vehicles, boats, campers, trailers or similar vehicles, shall only be permitted by Conditional Use and shall only be permitted behind the mini-warehouse buildings, and shall be located at least fifty (50) feet from any property line.
  - 4. No more than fifty (50) percent of the lot shall be covered by buildings.
  - 5. No more than seventy (70) percent of a lot shall be covered by any combination of buildings, structures and impervious surfaces, including permeable paving,
  - 6. The maximum height of any building or structure shall not exceed fifty (50) feet, as measured from the average ground elevation to the highest point of the building or structure.
- D. General Requirements.
  - 1. The mini-warehouse facility shall be serviced by public sanitary sewer facilities (where available) or on-lot sanitary sewer facilities, which shall be consistent with any plans adopted by Heidelberg Township.
  - 2. The mini-warehouse facility shall be serviced by public water supply facilities (where available) or on-lot water supply facilities, which shall be consistent with any plans adopted by Heidelberg Township.

3. All other utility provisions serving the mini-warehouse facility shall be planned and installed in accordance with the specifications of the public utility provider supplying service. Unless otherwise required by the utility company or authority providing service, the utility services and connections shall be installed underground.
4. Each self-storage building shall be a fully enclosed building that shall be built of durable materials on a permanent foundation.
5. Truck trailers, box cars or similar structures shall not be used as storage units.
6. If required by the Township, the perimeter around the self-storage units shall be enclosed and contained by an eight (8) foot security fence, with a twenty-four (24) hour automated access gate.
7. The entrance and all vehicular access aisles shall be a minimum of twenty-four (24) feet in width and shall be unobstructed by vehicles and/or equipment. The entrance or main entrance shall be paved and landscaped from the cartway of the public road to a point fifty (50) feet within the automated access gate

**Section 36.** Article 19 is hereby amended to add a new Section 1938 to read as follows:

SECTION 1938. TINY HOMES

- A. For the purposes of this Ordinance, a Tiny Home, as defined, shall only be permitted in a mobile home park.
- B. All Tiny Homes shall be subject to the same requirements as Mobile Homes, as regulated by the provisions of this Zoning Ordinance.
- C. No wheels shall be permitted to remain on the structure.

**Section 37.** The Heidelberg Township Zoning Map is hereby amended to adjust the common boundary line of the Low Density Residential District and the Village Residential District to coincide with the property line of the parcel identified on Exhibit 1. The parcel of which the portions are identified on Exhibit 1 is the parcel with Lebanon County Tax Account Number 22-2368998-355334-0000.

**Section 38.** The Heidelberg Township Zoning Map is hereby amended to delete from the Agricultural Transitional District and add to the Highway Commercial District the entirety of two parcels identified on Exhibit 2. The two parcels identified on Exhibit 2 are

the parcels with Lebanon County Tax Account Numbers 22-2371079-357285-0000 and 22-2370761-356927-0000.

**Section 39.** The Heidelberg Township Zoning Map is hereby amended to delete from the Village Residential District and add to the Highway Commercial District the entirety of four parcels identified on Exhibit 3. The four parcels identified on Exhibit 3 are the parcels with Lebanon County Tax Account Numbers 22-2370759-354937-0000; 22-2371300-354996-0000; 22-2371423-354903-0000; and 22-2371110-355566-0000.

**Section 40.** The Heidelberg Township Zoning Map is hereby amended to adjust the common boundary line of the Agricultural Transitional District and the Highway Commercial District as identified on Exhibit 4. Portions of two parcels identified on Exhibit 4 are identified as Lebanon County Tax Account Numbers 22-2363385-353195-0000 and 22-2364648-353563-0000. The entirety of the third parcel identified on Exhibit 4 is identified as Lebanon County Tax Account Number 22-2364888-353133-0000.

**Section 41.** The Heidelberg Township Zoning Map is hereby amended to delete from the Agricultural Transitional District and the Village Residential District and add to the Conservation Recreation District the portions of the two parcels identified on Exhibit 5. The two parcels of which the portions are identified on Exhibit 5 are the parcels with Lebanon County Tax Account Numbers 22-2387629-354990-0000 and 22-2388247-354938-0000.

**Section 42.** The Heidelberg Township Zoning Map is hereby amended to adjust the common boundary line of the Agricultural Transitional District and the Low Density Residential District as identified on Exhibit 6. Portions of eleven parcels identified on Exhibit 6 are identified as Lebanon County Tax Account Numbers 22-2384999-355874-0000; 22-2384585-356085-0000; 22-2384570-356491-0000; 22-2384052-356277-0000; 22-2383886-356797-0000; 22-2383348-356515-0000; 22-2381817-356226-0000; 22-2380787-355960-0000; 22-2380545-356652-0000; 22-2379729-356656-0000; and 22-2379538-356547-0000. The entirety of the twelfth parcel identified on Exhibit 6 is identified as Lebanon County Tax Account Number 22-2380521-355991-0000.

**Section 43.** The Heidelberg Township Zoning Map is hereby amended to delete from the Low Density Residential District and add to the Village Residential District the portion of the parcel identified on Exhibit 7. The parcel of which the portion is identified on Exhibit 7 is the parcel with Lebanon County Tax Account Number 22-2376561-355104-0000.

**Section 44.** The Heidelberg Township Zoning Map is hereby amended to adjust the common boundary line of the Agricultural Transitional District and the Highway Commercial District to coincide with the property line of the parcel identified on Exhibit 8.

The parcel of which the portion is identified on Exhibit 8 is the parcel with Lebanon County Tax Account Number 22-2373400-345443-0000.

**Section 45.** The Heidelberg Township Zoning Map is hereby amended to delete from the Agricultural Transitional District and add to the Highway Commercial District the entirety of the parcel identified on Exhibit 9. The parcel identified on Exhibit 9 is the parcel with Lebanon County Tax Account Number 22-2373366-345002-0000.

**Section 46.** All other sections, parts and provisions of the Ordinance shall remain in full force and effect as previously enacted and amended.

**Section 47.** 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 remain in full force and effect.

**Section 48.** This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of Heidelberg Township as provided by law.

Duly ORDAINED and ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by the Board of Supervisors of the Township of Heidelberg, Lebanon County, Pennsylvania, in lawful session duly assembled.

ATTEST:

Township of Heidelberg  
Lebanon County, Pennsylvania

\_\_\_\_\_  
Secretary

By:

\_\_\_\_\_  
Chairman