

TOWNSHIP OF EAST HEMPFIELD
Lancaster County, Pennsylvania

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWNSHIP OF EAST HEMPFIELD, LANCASTER COUNTY, PENNSYLVANIA, TO AMEND THE EAST HEMPFIELD TOWNSHIP ZONING ORDINANCE OF 2014, AS AMENDED, TO ADD DAY-CARE SERVICES, COMMERCIAL AND FAMILY, AS A PERMITTED USE TO THE VILLAGE RESIDENTIAL ZONE (VR) AND TO AMEND THE USE REGULATIONS FOR DAY-CARE SERVICES, COMMERCIAL AND FAMILY.

WHEREAS, pursuant to its powers under the laws of the Commonwealth of Pennsylvania, the general supervision of the affairs of the Township of East Hempfield, Lancaster County, Pennsylvania is in the hands of the Board of Supervisors of the Township of East Hempfield; and

WHEREAS, Article VI of the Pennsylvania Municipalities Planning Code (Entitled, "Zoning"), 53 P.S. §10601 et seq., authorizes the Board of Supervisors of the Township of East Hempfield to enact, amend, and repeal zoning ordinances, which include zoning maps, within the Township of East Hempfield; and

WHEREAS, the Board of Supervisors of the Township of East Hempfield deems it to be in the best interest of the public health, safety and welfare of its citizens to amend the aforesaid Ordinance, as set forth in detail below.

NOW THEREFORE, BE IT HEREBY ENACTED AND ORDAINED and it is hereby enacted and ordained by the Board of Supervisors of the Township of East Hempfield, Lancaster County, Pennsylvania, as follows:

Section 1. Section 270-3.7.B.3 of the "East Hempfield Township Zoning Ordinance of 2014," as amended, which identifies permitted Business Uses in the Village Residential Zone (VR) shall be amended by replacing "(a) None." with "(a) Day-care services, family" and "(b) Day-care services, commercial" as follows:

- (3) Business uses:
 - (a) Day-care services, family.
 - (b) Day-care services, commercial.

Section 2. Section 270-5.2.U.5 of the "East Hempfield Township Zoning Ordinance of 2014," as amended, which sets forth the additional use regulations for Day-care services, commercial and family shall be amended with underlined provisions set forth below:

(5) In the RL, RM and VR Zones, day-care businesses, whether utilizing an existing building or constructing a new building, shall be designed to be compatible with the residential character of the surrounding neighborhood. The applicant shall provide a building elevation plan including a landscaping plan that provides evidence of the building's appearance and design compatibility. In the VR Zone, for properties containing multiple buildings that were in existence as of the date of the adoption of the current zoning ordinance, an applicant may operate a commercial day-care service while operating other permitted uses on the property as long as the applicant provides a site plan establishing there is adequate parking on the lot to meet the parking requirements for each principal use.

Section 3. All other sections, parts and provisions of the East Hempfield Township Zoning Ordinance shall remain in full force and effect as previously enacted and amended.

Section 4. 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 5. These amendments shall take effect and be enforced from and after their approval as provided by law.

DULY ORDAINED AND ENACTED this ____ day of _____, 2022, by the Board of Supervisors of East Hempfield Township, Lancaster County, Pennsylvania, in lawful session duly assembled.

EAST HEMPFIELD TOWNSHIP
Lancaster County, Pennsylvania

Attest: _____
(Assistant) Secretary

By: _____
(Vice) Chair

[TOWNSHIP SEAL]

I, Cindy A. Schweitzer, Secretary of the Board of Supervisors of East Hempfield Township, Lancaster County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted at a legally constituted meeting of the Board of Supervisors of East Hempfield Township held on _____, 2022, at which meeting a quorum was present and voted in favor thereof.

Cindy A. Schweitzer, Secretary

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