

**TOWNSHIP OF EAST HEMPFIELD  
LANCASTER COUNTY, PENNSYLVANIA  
ORDINANCE NO. 2018-05**

**AN ORDINANCE AMENDING CHAPTER 270 [ZONING], ARTICLE 3 [ZONE REGULATIONS], SECTION 270-3.5 [LOW-DENSITY RESIDENTIAL ZONE (RL)], SUBSECTIONS 270.3.5.C [CONDITIONAL USES] AND ARTICLE 5 [SPECIAL USE REGULATIONS], 270-5.2.P [CLUSTER DEVELOPMENTS] TO PERMIT “CLUSTER DEVELOPMENTS” USE IN THE LOW-DENSITY RESIDENTIAL ZONE (RL) AND TO MODIFY THE LOT DESIGN STANDARDS, MINIMUM SETBACKS AND TO CREATE A NEW MINIMUM BUILDING SEPARATION FOR CLUSTER DEVELOPMENTS.**

WHEREAS, the East Hempfield Township (“Township”) Board of Supervisors (“Board”) desires to amend Chapter 270 of the Township Code (“Zoning Ordinance”) to revise, amend and restate certain provisions of the Low-Density Residential Zone regulations under Article 3 of the Zoning Ordinance to permit an “Cluster Developments” by conditional use and to revise, amend and restate certain provisions of the Cluster Developments Special Use Regulations under Article 5; and

WHEREAS, the County and Township Planning Commissions, pursuant to the applicable provisions of the Zoning Ordinance and the Pennsylvania Municipalities Planning Code, have reviewed this proposed amendment and issued recommendations to the Board regarding the same.

NOW, THEREFORE, the Board hereby ordains that the Zoning Ordinance be revised, amended and restated as follows:

**Section 1.** Article 3 [Zone Regulations], Section 270-3.5 [Low-Density Residential Zone (RL)], Subsection C [Conditional Uses] of the Township Zoning Ordinance is hereby revised and amended to add the following:

- (2) **Cluster developments, but excluding townhouses and multifamily dwellings.**

**Section 2.** Article 3 [Zone Regulations], Section 270-3.5 [Low-Density Residential Zone (RL)], Subsection E [Design Standards] of the Township Zoning Ordinance is hereby revised and amended to add the following:

- (1) **Minimum lot area:**

...

- (c) **Cluster Developments: *See*, regulations in Article 5.**

...

- (3) **Maximum residential density:**

...

(b) **Cluster Developments:** four (4) dwelling units per gross acre.

(4) **Minimum lot width:**

...

(e) **Cluster Developments:** *See*, regulations in Article 5.

(5) **Maximum lot coverage:**

...

(d) **Cluster Developments:** *See*, regulations in Article 5.

**Section 3.** Article 5 [Special Use Regulations], Section 270-5.2 [Additional Use Regulations for Specific Uses], Subsection P [Cluster Developments], Subsection (i) [Lot Design Standards] of the Township Zoning Ordinance is hereby revised and amended to include the following:

(i) **Lot design standards.**

[1] For Cluster Developments creating subdivided lots, the following table sets forth applicable lot size, width and coverage design standards to be applied to the various dwelling types and their respective lots:

Dwelling Type	Lot Design Standards		
	Minimum Lot Area (square feet)	Minimum Lot Width at Building Frontage (feet)	Maximum Lot Coverage
Single-family detached	6,000	40	65%
Single-family semidetached	4,500	35	70%
Townhouse	2,000	25	70%
Multifamily	1,500 per dwelling unit	50	70%

[2] For Cluster Developments that include a condominium or planned community which creates individual units that are not subdivided lots, then no individual lot design standards apply. However, in such instance, the overall developable tract shall have a: Minimum Lot Area in accordance with Section 270-5.2.P.(2)(b); Minimum Lot Width in accordance with the applicable Zoning District; and Maximum Lot Coverage not to exceed 70%.

**Section 4.** Article 5 [Special Use Regulations], Section 270-5.2 [Additional Use Regulations for Specific Uses], Subsection P [Cluster Developments], Subsection (j) [Minimum Setback Requirements for Principal Structures] of the Township Zoning Ordinance is hereby revised and amended to add the following:

- [4] **For Cluster Developments not creating subdivided lots, front: 12 feet (measured from edge of road right of way/easement to building line).**

**Section 5.** Article 5 [Special Use Regulations], Section 270-5.2 [Additional Use Regulations for Specific Uses], Subsection P [Cluster Developments], a new Subsection (m) of the Township Zoning Ordinance is hereby added as follows:

- (m) **Minimum Building Separation (for Cluster Developments not creating subdivided lots): 15 feet between buildings.**

**Section 6.** Nothing in this Ordinance or in the Zoning Ordinance, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit validly issued, or any cause or causes of action existing under said Zoning Ordinance prior the adoption of this amendment.

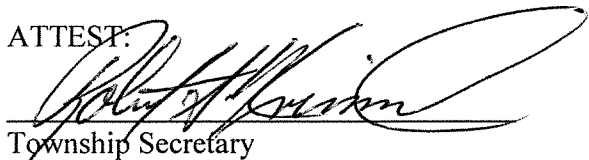
**Section 7.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of Court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part or provision had not been included herein.

**Section 8.** This Ordinance shall take effect and be in force from and after its enactment or adoption as required by law and shall be considered as having been filed in the Township official book of Ordinances as of the date of the Board's enactment.

**Section 9.** This Ordinance repeals any prior ordinance or portion thereof to the extent that such prior ordinance or portion thereof is inconsistent with this Ordinance.

ORDAINED and ENACTED by the Board of Supervisors of East Hempfield Township this 1<sup>st</sup> day of August, 2018.

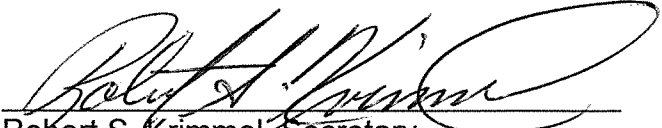
ATTEST:

  
Township Secretary

TOWNSHIP OF EAST HEMPFIELD

By:   
Chairman, Board of Supervisors

I, Robert S. Kimmel, 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 August 1, 2018, at which meeting a quorum was present and voted in favor thereof.



Robert S. Kimmel, Secretary