

TOWNSHIP OF EAST HEMPFIELD

Lancaster County, Pennsylvania

ORDINANCE NO. 2019-07

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF EAST HEMPFIELD BY MAKING CERTAIN AMENDMENTS TO THE ZONING ORDINANCE INVOLVING THE DEFINITIONS AND PERMITTED ZONES FOR CAR WASH AND DETAILING, CONVENIENCE STORES, MOTOR VEHICLE FUELING STATIONS, TRUCK STOPS, AND DAY-CARE SERVICES

WHEREAS, the Board of Supervisors of East Hempfield Township has enacted the East Hempfield Township Zoning Ordinance of 2014, as set forth at Chapter 270 of the Code of the Township of East Hempfield (the "Code"); and

WHEREAS, the Board of Supervisors desires to make certain amendments to the Zoning Ordinance provisions of the Code;

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of East Hempfield, Lancaster County, Pennsylvania, as follows:

1. Section 270-2.2 of the Code, involving definitions, is amended to include the following, with material which is underlined representing new material and material with strikeouts representing deleted material:

§270-2.2. Definitions:

CAR WASH AND DETAILING

A commercial business providing services to wash and/or clean the exterior and interior of motor vehicles, boats, utility trailers, and automotive accessories. Such facilities may include, but are not limited to, do-it-yourself coin operated facilities and fee-based full-service operations. This definition does not include operations or facilities that wash or clean large, commercial trucks, tractor trailers.

CONVENIENCE STORE

~~A retail sales business that specializes in providing household products and foods. Convenience stores shall not include the dispensing of gasoline or other vehicle fuels, unless the appropriate approvals for a motor vehicle fueling station (as defined herein) have been obtained.~~ with primary emphasis placed on providing the public a convenient location to quickly purchase a wide array of consumable products such as food and/or motor vehicle fuel and services, which could include drive-through, dine-in or sit-down restaurant area and car wash as accessory uses, and where the building area is less

than 10,000 square feet and business hours of operation may be 24 hours, seven days a week and product mix could include but not limited to: grocery type items, beverages, snacks (including confectionery), tobacco, prepared and pre-packaged food, and lottery ticket sales.

~~MOTOR VEHICLE FUELING STATION DELETE~~

~~Any building, land area, or other premises, or portion thereof, used for the retail dispensing or sales of vehicular fuels and including as an accessory use the sale and installation of lubricants, tires, batteries, and similar vehicle accessories.~~

Add definition:

TRUCK STOP

A retail business that:

1. Is equipped with diesel fuel islands used for fueling commercial motor vehicles; and
2. has parking spaces dedicated for commercial motor vehicles; and
3. has a convenience store; and
4. is situated on a parcel of land of not less than three acres owned or leased by the truck stop parent company.

2. Section 270-3.8 of the Code, dealing with uses permitted within the Village Center Zone is amended to add and remove the following uses:

§270-3.8 B. (3), Remove use from Village Center Zone:

Remove "Motor vehicle fueling station (non-twenty-four-hour operation)".

§270-3.8 B. (3), Add use to the Village Center Zone:

Add "Car Wash and Detailing".

§270-3.8 D. (8), Remove use from Village Center Zone:

Remove "Motor vehicle fueling station".

3. Section 270-3.9 of the Code, dealing with uses permitted within the Community Business Center Zone is amended to add and remove the following uses:

§270-3.9 B. (3), Remove use from Community Business Center Zone:

Remove "Motor vehicle fueling station (non-twenty-four-hour operation)".

§270-3.9 B. (3), Add use to the Community Business Center Zone:

Add "Car Wash and Detailing".

§270-3.9 D. (6), Remove use from the Community Business Center Zone:

Remove "Motor vehicle fueling station".

4. Section 270-3.10 of the Code, dealing with uses permitted within the Regional Commerce Center Zone is amended to remove the following uses:

§270-3.10 B. (3), Remove use from the Regional Commerce Center Zone:

Remove "Motor vehicle fueling station (non-twenty-four-hour operation)".

270-3.10 B. (3), Add use to the Regional Commerce Center Zone:

Add "Car Wash & Detailing".

§270-3.10 D. (4), Remove use from the Regional Commerce Center Zone:

Remove "Motor vehicle fueling station".

5. Section 270-3.12 of the Code, dealing with uses permitted within the Enterprise is amended to add and remove the following uses:

§270-3.12 B. (3), Remove use from the Enterprise Zone:

Remove "Motor vehicle fueling station".

§ 270-3.12 B. (3), Add use to the Enterprise Zone:

Add "Truck Stop".

Add "Car Wash and Detailing".

6. Section 270-5.2 of the Code, dealing with additional use regulations for specific uses is amended as follows with underlined material being revised and material which is struck out being deleted:

§ 270-5.2 Car Wash & Detailing

- (1) Facilities within 1,000 feet of a residential property shall limit hours of operation to 7:00 A.M. to 9:00 P.M.;
- (2) Outdoor storage of motor vehicles and auto parts is prohibited;
- (3) Shall be connected to public water and public sewer;

- (4) Traffic flow and ingress-egress shall not cause traffic hazards on adjacent roads
On-site traffic circulation aisles and parking areas shall be clearly marked to
provide for safe traffic flow and to prevent conflicts between vehicle traffic and
pedestrian traffic;
- (5) Each washing bay shall provide a one hundred (100) foot long on-site stacking
lane;
- (6) Trash receptacles shall be provided and routinely emptied to prevent the
scattering of litter, and the applicant shall furnish and implement a working plan
for the cleanup of litter and debris;
- (7) The subject property shall front on an arterial or collector road;
- (8) The operation shall provide adequate provisions for the collection and disposal of
greases, oils and wastes;
- (9) The operation shall employ whisper quiet technology for all vacuum systems;
- (10) The operation shall utilize sound dampening technology to reduce drying
systems at the exit end of the car wash;
- (11) Water from the car wash operation shall not leave the subject property and
shall not be permitted to sheet flow from the site or drain into a stormwater
conveyance facility;
- (12) The facility shall provide a reclaim system, with tanks installed, to collect water
used for the car wash operation; and
- (13) For car washes not part of convenience stores, retail sales shall be limited to
automotive cleaning supplies and accessories, which could include but not
limited to: air fresheners, mobile phone chargers and adapters, window cleaner
etc.

§ 270-5.2 S. Convenience Store.:

- (1) ~~Gasoline or other fuels shall not be sold unless a use as a motor vehicle~~
~~fueling station is approved for that site.~~
- (1) Outside storage of ice machines, rental/sale kiosks, propane tank sales
racks, and other similar items are only allowed if kept on the front or side
paved sidewalk or walking area of the store, in full view from inside the
store.
- (2) The store parking lot will be designed to provide movement and unloading
of standard delivery trucks without interference with pedestrian or
vehicular movements.

- (3) The site shall meet the screening requirements of Article 4 and the East Hempfield Township Subdivision and Land Development Ordinance, as amended.
- (4) All site lighting shall be designed to reflect downward or inward to the site. Glare from lighting that spills onto local streets or adjacent lots is prohibited.
- (5) All structures, to include fuel islands, shall be set back a minimum of 30 feet from the street right-of-way line.
- (6) All ventilation equipment associated with fuel storage tanks shall be oriented away from any adjoining residential lot.
- (7) All accessory uses shall comply with regulations listed in Article 4 and Article 5 of this Chapter.

~~§ 270-5.2 NN. Motor vehicle fueling stations (including minor incidental repair)~~

- ~~(1) The subject property shall be set back at least 300 feet from any lot containing a residence, school, day care facility, playground, library, hospital or nursing, rest or retirement home.~~
- ~~(2) For non twenty four hour operation facilities, hours of operations shall be limited to 6:00 a.m. to 11:00 p.m. Twenty four hour facilities shall be permitted by special exception.~~
- ~~(3) The outdoor storage of motor vehicles (whether capable of movement or not) for more than two weeks is prohibited.~~
- ~~(4) Any lighting shall be designed so as to be oriented downward or into the site. Excessive glare and lighting shall not be allowed to spill over onto adjacent streets or adjacent lots.~~
- ~~(5) All structures (including gasoline pump islands, but not permitted signs) shall be set back at least 30 feet from any street right of way line.~~
- ~~(6) No outdoor storage of auto parts shall be permitted.~~
- ~~(7) Access driveways shall meet the design criteria of the Township Road Ordinance.~~
- ~~(8) All ventilation equipment associated with fuel storage tanks shall be set back 100 feet and oriented away from any adjoining residentially zoned lots.~~
- ~~(9) Outdoor PA systems shall not cause an undue hardship on adjacent lots.~~

- (10) ~~Deliveries shall not hinder the flow of traffic on the public streets nor block building access points during open hours.~~
- (11) ~~The applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with state and federal regulations.~~

§270-5.2 Truck Stop:

- (1) Outside storage of ice machines, rental/sale kiosks, propane tank sales racks, and other similar items are only allowed if kept on the front or side paved sidewalk or walking area of the store, in full view from inside the store.
- (2) The store parking lot will be designed to provide movement and unloading of standard delivery trucks without interference with pedestrian or vehicular movements.
- (3) The site shall meet the screening requirements of Article 4 and the East Hempfield Township Subdivision and Land Development Ordinance, as amended.
- (4) All site lighting shall be designed to reflect downward or inward to the site. Glare from lighting that spills onto local streets or adjacent lots is prohibited.
- (5) All structures, to include fuel islands, shall be set back a minimum of 30 feet from the street right-of-way line.
- (6) All ventilation equipment associated with fuel storage tanks shall be oriented away from any adjoining residential lot.
- (7) All truck stops shall be located a minimum of 1,500 feet from a residentially-zoned parcel.

7. Section 270-3.11 of the Code, dealing with uses permitted within the Campus Zone is amended to include the following accessory use:

§270-3.11 B. (5) (b) Add use to the Campus Zone:

Add "Day-care services, commercial".

8. 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.

9. This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of the Township of East Hempfield as provided by law.

DULY ORDAINED AND ENACTED this 1 day of May, 2019, by the Board of Supervisors of the Township of East Hempfield, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF EAST HEMPFIELD
Lancaster County, Pennsylvania

Attest: _____

(Assistant) Secretary

By: _____

(Vice) Chairman

Board of Supervisors

[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 May 1, 2019, at which meeting a quorum was present and voted in favor thereof.



Cindy A. Schweitzer, Secretary