

TOWNSHIP OF EAST HEMPFIELD

Lancaster County, Pennsylvania

ORDINANCE NO. 2019-03

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF EAST HEMPFIELD BY MAKING MISCELLANEOUS AMENDMENTS TO THE 2014 ZONING ORDINANCE, INCLUDING REVISIONS TO THE REGULATIONS INVOLVING PARKING

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 miscellaneous corrections 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. Article 8: On- and Off-Street Parking and Loading of the Code is amended to include the following, with material which is underlined representing new material and material with strikeouts representing deleted material:

~~§ 270-8.1 Intent.~~

~~All businesses, residences and other permanent or temporary uses have the responsibility of providing adequate on- or off-street parking and loading facilities. This article provides parking and loading space requirements and standards for a variety of land use categories.~~

~~§ 270-8.2 General requirements.~~

~~A. Off-street parking shall be required in accordance with the provisions of this article prior to the occupancy of any building or use, so as to alleviate traffic congestion on streets. These facilities shall be provided whenever:~~

- ~~(1) A building is constructed or a new use is established;~~
- ~~(2) The use of an existing building is changed to a use requiring more parking facilities;~~
~~or~~
- ~~(3) An existing building or use is altered or enlarged so as to increase the amount of parking spaces required.~~

~~B. All parking and loading spaces shall be designed in accordance with the East~~

~~Hempfield Township Subdivision and Land Development Ordinance, as amended.~~

~~§ 270-8.3 Site plan approval.~~

- ~~A. Each application for a zoning permit for a use for which parking spaces are required shall include a site plan showing the proposed layout of the lot. The plan shall clearly indicate all of the parking lot and loading area design requirements for surfacing, separation from streets and sidewalks, drainage, parking space size, handicap accessibility, interior drive widths, marking of parking spaces, curvature and horizontal curves, dead-end lots, lighting, access drives, landscaping and screening requirements, and speed bumps in accordance with the East Hempfield Subdivision and Land Development Ordinance, as amended.~~
- ~~B. No zoning permit shall be issued for any use for which parking spaces are required unless the site plan has been approved or necessary variances have been obtained.~~

~~§ 270-8.4 Calculations of amounts of required parking.~~

- ~~A. When computing parking spaces based on floor area, areas used for parking are not counted.~~
- ~~B. The number of parking spaces is computed based on the primary uses on the site except as stated in Subsection C, below. When there are two or more separate primary uses on a site, the required parking for the site is the sum of the required parking for the individual primary uses.~~
- ~~C. When more than 20% of the floor area on a site is in an accessory use, the required parking is calculated separately for the accessory use. An example would be a 40,000 square foot building with a 30,000 square foot warehouse and a 10,000 square foot accessory office area. The required parking would be computed separately for the office and warehouse uses.~~

~~§ 270-8.5 Proximity of parking to lot lines and uses.~~

- ~~A. Within the Village Residential Zone and Village Center Zone, the location and proximity of parking, including the parking spaces and interior aisles, is subject to the following:~~
- ~~(1) The number of required parking spaces is reduced by 25% due to the presence of on-street parking.~~
 - ~~(2) A minimum of 25% of the required parking spaces must be located on the lot of the use with the remaining parking to be located on a lot not more than 300 feet from the subject property.~~
 - ~~(3) If the land is leased, the applicant shall provide a copy of the annual lease to verify use of the land for parking.~~
 - ~~(4) On-site parking lots containing five or more parking spaces shall not be located~~

~~within 10 feet of a street right-of-way line.~~

~~(5) On-site parking lots containing five or more parking spaces shall not be located within five feet of any side or rear lot line unless the parking lot is a joint use parking lot subject to § 270-8.7.~~

~~B. Within all other zones, the location and proximity of parking, including the parking spaces and interior aisles, is subject to the following:~~

~~(1) Parking lots containing five or more parking spaces shall not be located within 10 feet of a street right-of-way line.~~

~~(2) Parking lots containing five or more parking spaces shall not be located within 10 feet of any side or rear lot line unless the parking lot is a joint use parking lot subject to § 270-8.7.~~

~~C. On-site parking lots shall not be located within any buffer planting strip required by § 270-4.10.~~

~~§ 270-8.6 Stacked parking.~~

~~Stacked or valet parking is allowed if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, some form of guarantee must be filed with the Township ensuring that an attendant will always be present when the lot is in operation. The requirements for minimum parking spaces and all parking area development standards continue to apply for stacked parking. Stacked parking is also allowed in residential driveways.~~

~~§ 270-8.7 Joint use parking.~~

~~Joint use of required parking spaces may occur where two or more uses on the same or separate lots are able to share the same parking spaces because their parking demands occur at different times. Joint use of required nonresidential parking spaces is allowed if the following documentation is submitted in writing to the Township as part of a land development process and building or zoning permit application:~~

~~A. The names and addresses of the uses and of the landowners or tenants that are sharing the parking;~~

~~B. The location and number of parking spaces that are being shared;~~

~~C. An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses;~~

~~D. A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses;~~

~~E. An ownership and maintenance agreement for all landowners of joint use parking lots is required; and~~

~~F. The standards for joint use parking areas should be derived from the Urban Land Institute (ULI) publication titled "Shared Parking, Second Edition" (2005).~~

~~§ 270-8.8 Mixed-use building parking.~~

~~Uses that share a building or structure may qualify to reduce their vehicle parking requirements if the uses do not operate at the same time or have limited operations that overlap. Evidence prepared by a qualified registered professional will be provided to the Zoning Officer for evaluation and calculation of required spaces. The Zoning Officer will issue a written determination that will govern parking for the uses involved until one or more of the uses change or evidence is provided that shows a change in parking requirement is necessary for the public safety on the site.~~

~~§ 270-8.9 Uses of parking lots.~~

~~A. Vehicle parking lots are generally for the purposes of accommodating the passenger vehicles of persons associated with the use which requires them. Parking lots shall be used for the following activities:~~

- ~~(1) Parking/storage of vehicles accessory to the use;~~
- ~~(2) Twenty percent of any parking lot can be used for the periodic outdoor sale events directly related to the primary use of the lot. These events will be no longer than five days in duration and limited to four events per year.~~
- ~~(3) Events in parking lots not related to the primary use will be reviewed by the Zoning Officer and temporary use permits will be required. See also temporary uses in Article 4.~~

~~B. Parking lots shall not be used for the following activities:~~

- ~~(1) Performing services (including service/repair to vehicles).~~
- ~~(2) The long term sale, display or storage of vehicles or other merchandise.~~

~~§ 270-8.10 Schedule of off-street parking spaces per use.
[Amended 11-16-2016 by Ord. No. 2016-05]~~

~~The purpose of required parking spaces is to provide enough on-site parking to accommodate the majority of traffic generated by the range of uses which might locate at the site over time. Any use involving a combination of several uses shall provide the total number of spaces required for each individual use. The following parking schedule table lists required numbers of parking spaces by use type:~~

Parking Schedule Table

		Minimum Parking Space Requirement
Residential Uses		
	Accessory dwelling unit	1 in addition to the off-street parking required for the principal structure
	Boarding home	2 per dwelling unit plus 1 per available room for rent
	Community rehabilitation facilities	1 per resident or temporary resident
	Single-family dwelling unit	2 per dwelling unit
	Multifamily dwelling units	
	Efficiency	1 per dwelling unit
	1-2 bedroom dwelling units	1.2 per dwelling unit
	3 or more bedroom dwelling units	1.4 per dwelling unit
	Single-family semidetached and townhouse	1.7 per dwelling unit
	Two-family conversion	2 per dwelling unit
	Personal care homes/shelter care homes	1 per 4 residents
	Planned retirement communities and assisted living facilities	1 for every resident within multifamily and single-family rooms dwelling units and 1 for each employee on the largest shift. Related offices, retail, and services shall provide parking in accordance with specific business uses herein
Business Uses		

Parking Schedule Table

	Minimum Parking Space Requirement
Amusement, fitness and entertainment business	1 per 500 square feet of floor area
Arcade	1 per 250 square feet of floor area
Theater, exhibit halls and auditoriums with fixed seats	1 per 3 seats
Theater, exhibit halls and auditoriums without fixed seats	1 per 30 square feet of net assembly area
Bed and breakfast	1 per rentable room plus 2 for landowners
Campgrounds	1 per campsite, plus one per employee, plus 50% of the spaces normally required for accessory uses
Commercial parks and recreation facilities, private	1 per 200 square feet of floor area
Day care services, commercial	1 for every 6 individuals for whom care is provided at any one time, and 1 for each employee on the largest shift
Farm stand	1 per 100 square feet of retail space
Finance and insurance	1 per 500 square feet of floor area
Grocery store	1 per every 2 employees plus 1 per 500 square feet of floor area
Heavy equipment sales, service and repair	1 per 500 square feet of floor area
Industrial, light, general and heavy	1 per employee on the largest shifts or at least 1 per each 500 square feet of floor area, whichever is greater

Parking Schedule Table

		Minimum Parking Space Requirement
	Legalized gambling establishments	1 per 500 square feet of floor area
	With overnight accommodations	1 per 500 square feet of floor area plus 1 per room
	Lodging and overnight accommodations	1 per rentable room plus parking spaces for associated uses including a restaurant (see restaurant parking regulations below)
	Medical campus	1 per dwelling unit plus 1 per 500 square feet of floor area for other buildings
	Medical, science and research industries	1 per 500 square feet of floor area
	Mineral extraction	1 per every employee on the same shift
	Motor vehicle, sales, leasing and repair	1 per 500 square feet of floor area
	Nightclubs and bars/taverns	1 per 75 square feet of floor area
	Nursery and garden center	1 per 200 square feet of floor area
	Professional, scientific, and technical services	1 per 500 square feet of floor area
	Recycling facilities	Per CU review
	Regional sports facilities	See § 270-5.2PP(10)
	Restaurant	1 per 100 square feet of gross floor area for sit-down table dining. 1 per 75 square feet of floor area for restaurants with drive-through service and/or ordering of food at a counter

Parking Schedule Table

		Minimum Parking Space Requirement
	Retail sales, service, and repair	1 per 200 square feet of floor area
	Shopping complexes	1 per 500 square feet of floor area
	Self-storage units	1 per 25 storage units plus 1 per 250 square feet of office space plus 2 per any resident manager
	Storage units	1 per employee
	Warehousing, distribution and wholesale trade	1 per 3,000 square feet of floor area
Civic/Social Uses		
	Community activity buildings	1 per 500 square feet of floor area
	Parks and recreation facilities	
	Athletic fields	1 per 4 seats of spectator seating; if no spectator seating is provided, a temporary parking area shall be provided
	Playground facilities	1 per 8,000 square feet of active recreational area within a park or playground
	Courts	2 per court
	Stadiums/rinks	1 per 30 square feet of net seating area
	Gymnasium	1 per 200 square feet of floor area
	Swimming pool	1 per 250 square feet of pool area
	Golf	

Parking Schedule Table		
		Minimum Parking Space Requirement
	Driving range	1 per tee plus 1 per employee
	Miniature golf	1 per hole
	Golf course	6 per hole plus 1 per employee plus 50% of the spaces normally required for accessory uses
	Place of worship	1 per 100 square feet of main assembly area
	Private club	1 per 30 square feet of floor area
	Private recreation (without clubhouse or restaurant)	20 per site
	Schools	
	Primary	1 per classroom
	Secondary	7 per classroom
	Post-secondary	1 per 600 square feet of floor area, plus 1 per 4 dormitory rooms

§ 270-8.11 On-site loading space requirements.

On-site loading spaces, if needed and provided, shall be shown on a site plan. The Township must review the loading space design, prepared by the applicant, prior to the occupancy of any building or use, so as to alleviate any safety concerns, roadway conflicts, sizing for vehicles unloading, and traffic congestion anticipated on any existing and/or proposed streets. Loading space design shall meet the following minimum design criteria:

- A. Loading space size.

	Type of Vehicle	Loading Space Size (feet)	
		Length	Width
	4-axle truck	30	12
	5-axle truck	55	14

B. ~~The turning radius for any loading space shall be designed in accordance with the standards set forth in the current edition of Transportation and Land Development, Institute of Transportation Engineers (ITE).~~

C. ~~Within the Village Residential Zone and Village Center Zone, the location and proximity of on-site loading spaces, including truck maneuvering areas, is subject to the following:~~

- ~~(1) Loading spaces shall not be located within the required front setback area.~~
- ~~(2) Loading spaces shall not be located within five feet of any side or rear lot line.~~

D. ~~Within all other Zones, the location and proximity of on-site loading spaces, including truck maneuvering areas, is subject to the following:~~

- ~~(1) Loading spaces shall not be located within the required front setback area.~~
- ~~(2) Loading spaces shall not be located within 15 feet of any side or rear lot line.~~

E. ~~On-site loading spaces shall not be located within any buffer planting strip required by Article 4.~~

§ 270-8.1 Off-Street Parking

- A. Off-street parking shall be provided to meet the demand for the proposed land use. The applicant shall calculate this demand based on accepted standards, such as published in the Institute of Transportation Engineer's Parking Generation Reports or another acceptable standard.
- B. Mixed-use projects shall provide parking according to a shared parking analysis that projects parking needs based on the peak hour of parking demand. For example, a building with first-floor retail and office space and upper-floor residential will be able to adjust total parking demand to address the fact that peak residential parking demand will occur in the evening, while peak office parking demand will occur during the day. This analysis shall be based on

accepted standards, such as published in the Institute of Transportation Engineer's Parking Generation Reports, the Urban Land Institute Shared Parking Study, or another acceptable standard.

- C. Village Zoning Districts Parking: As an incentive to business activities in the Village Zoning Districts, the parking required under provisions of Article 8, Off-Street Parking Requirements, may be reduced as follows:
- a. Buildings with 20,000 square feet or greater of gross floor area may only provide for thirty percent (30%) of the required parking.
 - b. For restaurants and facilities with liquor licenses up to 100 seats may only provide for twenty percent (20%) of the required parking. Additional seats beyond 100 shall have parking provided based upon an approved parking study, such as the International Traffic Engineer's Parking Generation report or other acceptable methodology. The parking reduction for full-time employees will remain regardless of size.
 - c. All other uses in the Village Zones may only provide for ten percent (10%) of the required parking.

§ 270-8.2 Projections & Methodologies

- A. Subdivision and Land Development Approval: The parking demand projections and methodologies of all projects requiring subdivision and land development approval, shall be subject to approval by the Board of Supervisors.
- B. Permit Approval: The parking demand projects and methodologies for projects requiring permit approval and not requiring subdivision and land development approval, shall be subject to approval by the East Hempfield Township Zoning Officer.
- C. For all non-residential uses: any use proposing to exceed the Institute of Transportation Engineer's Parking Generation Report's 85th percentile for the number of proposed parking spaces by more than one hundred twenty-five percent (125%) shall require a registered professional to complete a parking generation study that adequately addresses parameters to include, but not limited to, land use, zoning district classification, development environment (urban, suburban, rural), and local and regional locational context, subject to Township staff and Township Engineer review and recommendation and Board of Supervisors approval.

§ 270-8.3 Additional Parking

The Zoning Officer may require additional parking for the following:

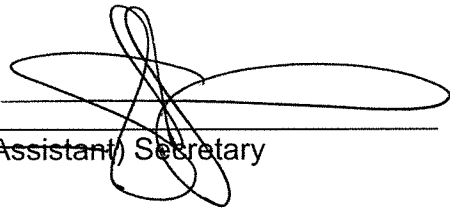
- A. An expansion, addition, or alteration to an existing non-residential building(s);
- B. An expansion, alteration or change in the intensity of an existing non-residential principal use or existing non-residential accessory use;
- C. An increase in the number of dwelling units for any non-residential project;
- D. Any non-residential project proposing a change to the principal use;
- E. The addition of new principal or new accessory use to a non-residential property;
- F. The addition of a new residential, home-based business with impact use
- G. A change from an approved residential, home-based business with impact use to another home-based business with impact use;
- H. The additional parking shall be calculated in accordance with the provisions of 270-8.1.

- 2. 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
- 3. 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 23 day of ~~December, 2018~~ ^{January 2019}, by the Board of Supervisors of the Township of East Hempfield, Lancaster County, Pennsylvania, in lawful session duly assembled.

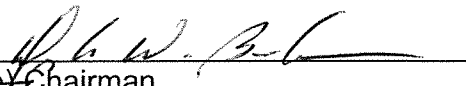
TOWNSHIP OF EAST HEMPFIELD
Lancaster County, Pennsylvania

Attest:



(Assistant) Secretary

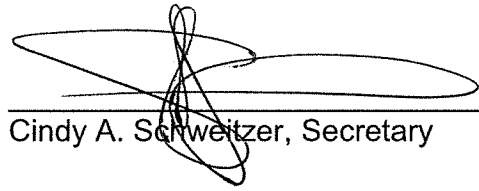
By:



(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 January 23, 2019, at which meeting a quorum was present and voted in favor thereof.



Cindy A. Schweitzer, Secretary