

TOWNSHIP OF BART

Lancaster County, Pennsylvania

ORDINANCE NO. 12-05-2018

"AN ORDINANCE OF THE TOWNSHIP OF BART AMENDING THE "BART TOWNSHIP ZONING ORDINANCE", AS AMENDED, BY AMENDING THE TYPES OF ZONING DISTRICTS BY ADDING A NEW TYPE OF ZONING DISTRICT TO BE KNOWN AS "GENERAL BUSINESS (GB)" ZONING DISTRICT AND AMENDING THE OFFICIAL ZONING MAP TO ESTABLISH THE BOUNDARIES THEREOF AND ADJUSTING THE BOUNDARIES OF THE LIGHT BUSINESS (LB), RURAL RESIDENTIAL (RR), AND AGRICULTURAL (A) ZONING DISTRICTS, BY AMENDING SECTION 503 LIGHT BUSINESS (LB) ZONING DISTRICT REGULATIONS BY CHANGING SUBSTANTIALLY THE PERMITTED AND SPECIAL EXCEPTION USES AND STRUCTURES ALLOWED THEREIN, ALONG WITH FURTHER CHANGING THE AREA, SETBACK, AND RELATED HEIGHT REGULATIONS, BY PROVIDING A NEW SECTION 507 WITH A NEW ZONING DISTRICT CALLED "GENERAL BUSINESS" (GB) AND PROVIDING FOR PERMITTED USES AND STRUCTURES, SPECIAL EXCEPTION USES AND STRUCTURES, AND AREA SETBACK AND HEIGHT REQUIREMENTS THEREIN, AND BY AMENDING SECTION 815 RELATING TO NON-RESIDENTIAL PARKING SPACES AND PROVIDING NEW STANDARDS ASSOCIATED THEREWITH AND ADDING RELATED NEW DEFINITIONS".

A. The Board of Supervisors of the Township of Bart, together with the Bart Township Planning Commission, and the Lancaster County Planning Commission have reviewed the language of the Bart Township Zoning Ordinance, Ordinance # 12-03-08, as amended, and has found that certain provisions thereof need to be clarified and in some cases changed, in order to update the Ordinance.

B. The Board of Supervisors and the Bart Township Planning Commission have found that the following amendments are in the best interests of the Township and they have been further reviewed by the Lancaster County Planning Commission (who also supported the changes).

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

Section I. The caption of and recitals to this Ordinance as set forth above are incorporated herein by reference.

Section II. The Bart Township Zoning Ordinance (hereafter "Zoning Ordinance"), as amended, is amended in the following respects:

1. Section 401 of the Bart Township Zoning Ordinance is amended by adding a new Zoning District as follows: "General Business (GB)"

2. Section 402 creating the Official Zoning Map of the Zoning Ordinance is hereby amended by changing the dimensions and boundaries of the Light Business (LB) District, the Rural Residential District (RR) and the Agriculture (A) District and creating the dimensions and boundaries of the General Business (GB) District as are shown and described in respective Exhibits "A" and "B", which are attached hereto and incorporated herein by reference.

3. Two new definitions (alphabetized) are added to Section 202.3 to read as follows:

"Agriculture Product Processing Facility – One or more facilities or operations that transform , package, sort, or grade livestock or livestock products, agricultural commodities, or plants or plant products, excluding forest products, into goods that are used for intermediate or final consumption including goods for nonfood use".

"Agricultural Support Business – A business that, may or may not, be located on a farm, at which goods and services are provided in support of local farming operations and directed at meeting the needs of those engaged in local farming. The business shall be directed at providing materials and services needed to farm. Examples include but are not limited to the sale and repair of agricultural equipment, blacksmith shops, butcher shops, fertilizer distributors and feed distributors".

4. All of Section 503 of the Zoning Ordinance is deleted and the following substituted therefore:

"Section 503                      Light Business (LB)

503.1    PURPOSE AND INTENT    The purpose of the Light Business District is to provide for small scale commercial, office, light manufacturing and industrial uses that do not generate excessive amounts of traffic, and have minimal impact on the environment and sensitive environmental features.

503.2    Agricultural Nuisance Disclaimer – See Section 106

503.3    Permitted Uses and Structures

- A. Agriculture
- B. Contractor's Office or Shop
- C. Cottage Industry w/ Matrix See Section 600
- E. Dwellings - Single and Double Family
- F. Emergency Services Structure
- G. Forestry
- H. Home Occupation w/ Matrix See Section 600
- I. Municipal Uses
- J. No Impact Home Based Business w/ Matrix See Section 600
- K. Offices (including Professional Offices)
- L. Roadside Stand
- M. Storage Facility (less than 2,000 square feet)
- N. Customary accessory uses and structures incidental to the above permitted uses.

**503.4 Special Exception Uses and Structures**

The following uses are permitted as a special exception when granted by the Zoning Hearing Board.

- A. Animal Hospital
- B. Automotive Sales
- C. Automotive Service Station
- D. Communication Tower
- E. Manufacturing (Less than 7,500 sq. ft of floor area)
- F. Retail (Less than 2,000 sq. ft. of floor area)
- G. Storage Facility (Less than 2,000 sq. ft.)

H. Veterinarians Office

I. Customary accessory uses and structures incidental to the above Special Exception uses.

#### 503.5 Area, Setback, and Height Requirements

A. Minimum Lot Area – 43,560 sf (1 acre)\*

\*Minimum required lot size shall also be determined by the DEP preliminary hydrogeologic study criteria for on-lot sewage disposal.

B. Minimum Lot Width – 100'

C. Minimum Depth – 140'

D. Minimum Setback Requirement – All buildings shall be setback from the right of way of public roads and lot lines to comply with other provisions of this Ordinance.

1. Front Setback – As set forth in Section 802

2. Side Setback - There shall be two (2) side yards each having a minimum width of 15 feet for each building.

3. Rear Setback - The rear yard shall be a minimum of 25 feet for each building.

4. All off-street parking areas and access drives shall be located a minimum of 15 feet from any property line.

5. Other than for residential only uses, no off-street parking areas shall be located between the street right of way line and the minimum building line.

E. Maximum Impervious Surface – Not more than 40% of the area of the lot shall be covered by impervious surface unless served by public sewer and public water. If served by public sewer the impervious surface coverage shall not exceed 60%.

F. Height Regulations – No building may exceed thirty-five (35) feet in height except as provided for in Section 805 of the Zoning Ordinance."

5. A new Section 507 "General Business (GB)" is added to the Zoning Ordinance to read as follows:

**"Section 507                      General Business (GB)**

**507.1    PURPOSE AND INTENT** The purpose of the General Business District is to provide for commercial, manufacturing, retail and industrial uses that are located adjacent to and gain access from collector roadways.

**507.2    Permitted Uses and Structures**

- A.     Agriculture (including Agricultural Structures and Manure Storage)
- B.     Agricultural Product Processing Facilities
- C.     Agricultural Support Businesses
- D.     Animal Hospital/Veterinary Office
- E.     Contractor's Office or Shop
- F.     Drive Thru Establishment
- G.     Emergency Services Structure
- H.     Farm Occupation
- I.     Financial Institution
- J.     Forestry
- K.     Greenhouse
- L.     Home Occupation
- M.     Manufacturing
- N.     Municipal Uses
- O.     No Impact Home Based Business w/ Matrix See Section 600
- P.     Nursery
- Q.     Offices
- R.     Personal Services

- S. Professional Occupation
- T. Public Buildings
- U. Public Utilities
- V. Restaurant (including Drive-Thru)
- W. Retail Uses
- X. Roadside Stand
- Y. Storage Facility
- Z. Customary accessory uses and structures incidental to the above permitted uses.

**507.3 Special Exception Uses and Structures**

The following uses are permitted as a special exception when granted by the Zoning Hearing Board.

- A. Adaptive Reuse of Agricultural Buildings
- B. Automobile Sales
- C. Automobile Fueling Station
- D. Convenience Store
- E. Day Care Center
- F. Laundry Facility
- G. Medical Center
- H. Shopping Centers
- I. Vehicular Car Wash Facility
- J. Vocational/Mechanical Trade School
- K. Customary accessory uses and structures incidental to the above Special Exception uses.

#### 507.4 Area, Setback, and Height Requirements

A. Minimum Lot Area - Three (3) Acres\*

\*Minimum required lot size shall also be determined by the DEP preliminary hydrogeologic study criteria for on-lot sewage disposal.

B. Minimum Lot Width – 200'

C. Minimum Depth – 200'

D. Minimum Setback Requirement – All buildings shall be setback from the right of way of public roads and lot lines to comply with other provisions of this Ordinance.

1. Front Setback – As set forth in Section 802

2. Side Setback - There shall be two (2) side yards each having a minimum width of 35 feet for each building.

3. Rear Setback - The rear yard shall be a minimum of 50 feet for each building.

4. All off-street parking areas and access drives shall be located a minimum of 50 feet from any property line.

5. Other than for residential only uses, no off-street parking areas shall be located between the street right of way line and minimum building line.

E. Maximum Impervious Surface – Not more than 60% of the area of the lot shall be covered by impervious surface unless served by public sewer and public water. If served by public sewer the impervious surface coverage shall not exceed 80%.

F. Height Regulations – No building may exceed thirty-five (35) feet in height except as provided for in Section 805 of the Zoning Ordinance

6. Move all of the language of current SECTION 815.7 "LANDSCAPING OF NONRESIDENTIAL OFF-STREET PARKING AREAS" to SECTION 815.4.G. and show SECTION 815.7 as "RESERVED".

7. All of Section 815.2.B. of the Zoning Ordinance relating to parking is deleted and the following substituted therefore:

"Section 815.2.B Non-Residential Uses

including colleges

Vocational training and adult  
education facilities

1.5 students enrolled"

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

Section IV. This Ordinance shall take effect and be in force on the 5<sup>th</sup> day following enactment, as provided by law.

DULY ORDAINED AND ENACTED the 5<sup>TH</sup> day of December, 2018, by the Board of Supervisors of the Township of Bart.

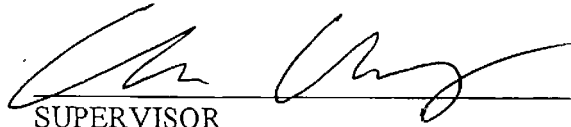
BOARD OF SUPERVISORS  
BART TOWNSHIP



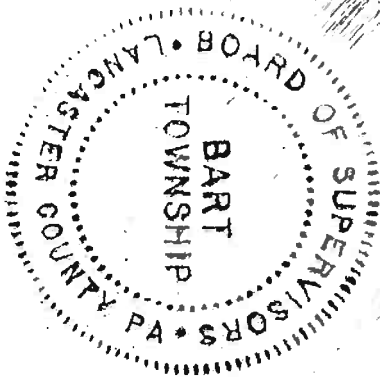
SUPERVISOR  
CHAIRMAN



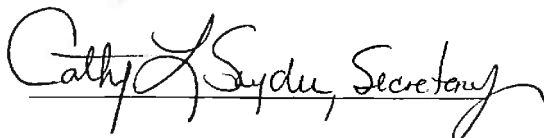
SUPERVISOR  
VICE CHAIRMAN



SUPERVISOR



Attest:



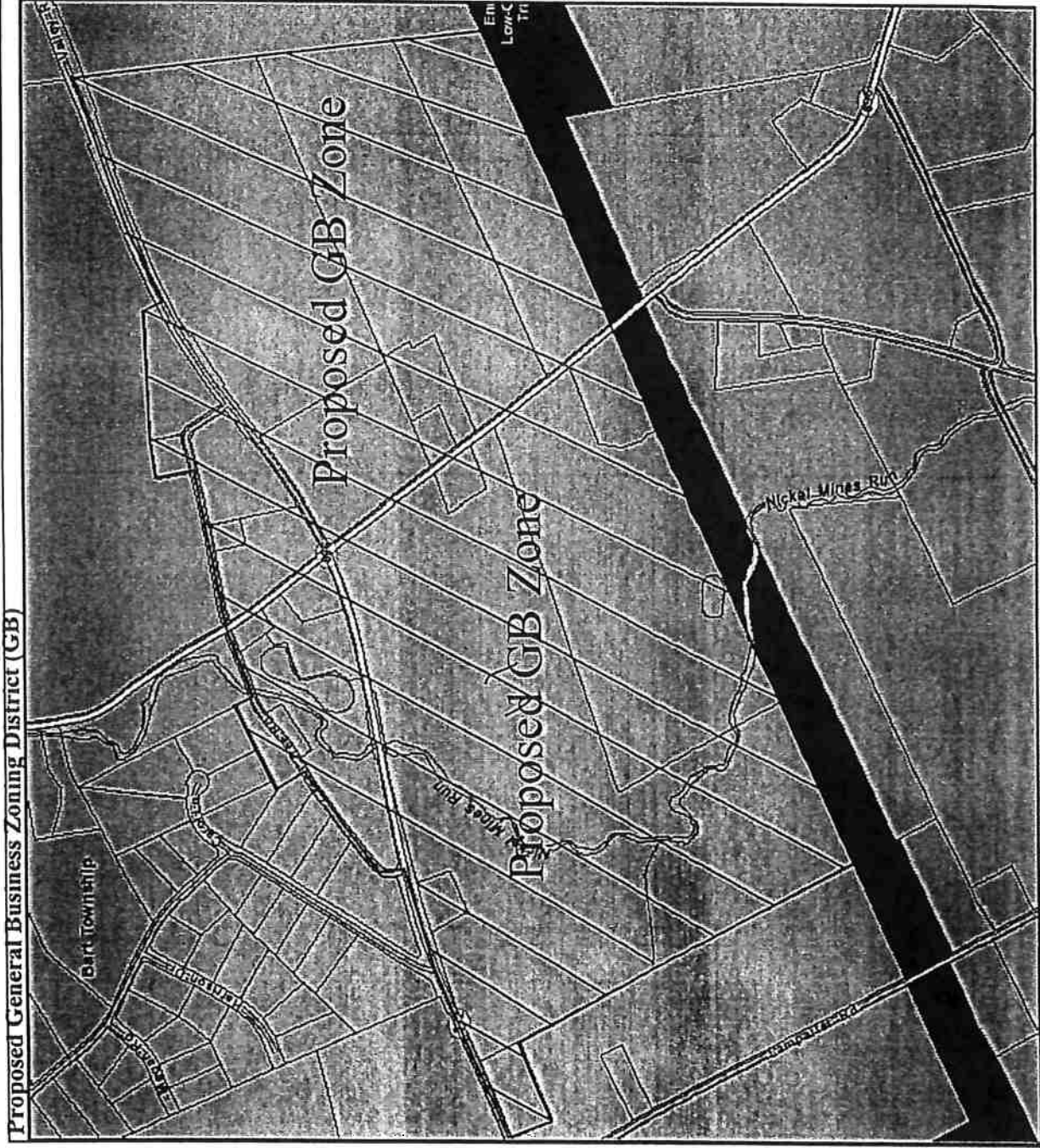




- LanCo View Map Features**
- Parcel Boundary
  - School District Boundary
  - Interstate
  - US Route
  - PA Route
  - Minor Road
  - Road Surface
  - Parking Lots / Drives
  - Railroads
  - 10' Index Contour
  - 2' Intermediate Contour
  - Stream
  - Water Body
  - Building
  - Park
  - Forested
  - Agricultural
  - Borough or City
  - Township
  - County Boundary



Scale 1:10,000 | 1 in = 833 ft  
Date Created: 21-Mar-18



Source: Lancaster County GIS, Copyright (c) 2018. This map is to be used for reference or illustrative purposes only. This map is not a legally recorded plan, survey, or engineering schematic and it is not intended to be used as such or for complete disclaimer see: [co.lancaster.pa.us/gis/disclaimer](http://co.lancaster.pa.us/gis/disclaimer)

## Exhibit "B"

### Properties within Proposed General Business Zoning District

<u>Owner</u>	<u>Tax Account Number</u>
PGRB LLC	030-52588
Elam S. Zook	030-94205 (Portion South of Greentree Road)
Gideon B. Smucker	030-87467
Reuben F. Beiler	030-98211
Elam S. Zook	030-02310
Kenneth S. Boule	030-26266
Jeffrey E. Mowrer	030-14117
Emanuel K. Beiler	030-07241 (Portion South of Greentree Road)
Clyde L. Henry	030-57904
Amos K. Beiler	030-90281
Emanuel K. Beller	030-14942
Georgetown Real Estate LLC	030-06096
Blue Ridge Property LLC	030-68017
Jesse J. Lapp	030-08764
Benjamin Glick	030-76605
Shirley J. Monk	030-49214
Emanuel Stoltzfus	030-08487
Abner S. Glick	030-00680
Amos K. Esh	030-27674
John A. Lapp, Jr.	030-98308