

ORDINANCE NO. 2023-17

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF MANHEIM, LANCASTER COUNTY, PENNSYLVANIA, AMENDING THE TEXT OF THE ZONING ORDINANCE OF MANHEIM TOWNSHIP 2014, AS AMENDED, TO ESTABLISH “FARM HOUSE RENTAL” AS A RECOGNIZED USE IN THE TOWNSHIP, TO PERMIT THE USE OF FARM HOUSE RENTALS ON FORMERLY WORKING FARMS IN CERTAIN DISTRICTS IN THE TOWNSHIP, AND TO PROVIDE ADDITIONAL CRITERIA RELATED THERETO.

The Board of Commissioners of the Township of Manheim, Lancaster County, Pennsylvania, hereby enacts, adopts, and ordains this Ordinance, amending the Zoning Ordinance of Manheim Township 2014 (the “Zoning Ordinance”), as follows:

Section 1. The Zoning Ordinance, Article V, Terminology, Section 503, Definitions, is amended by adding the following definition immediately after the term “Farm”:

“FARM, RESIDUAL – A formerly working farm which also meets all of the following criteria: (i) is located on a parcel of land containing more than ten (10) gross acres but less than fifteen (15) gross acres, (ii) constitutes or is part of the remaining or residual land on an approved subdivision and land development plan for a residential development containing at least one hundred (100) residential dwelling units, and (iii) is located within one-half (0.5) mile from a limited access legislative route and within 1,500 feet of a public park as measured in a direct, linear path from the property boundary of the residual farm.”

Section 2. The Zoning Ordinance, Article V, Terminology, Section 503, Definitions, is amended by adding the following definition immediately after the term “Farm Dwelling”:

“FARM HOUSE RENTAL – a farm dwelling which is available for use or is used as a single-family detached dwelling unit to accommodate short-term residential guests on a farm or residual farm, in exchange for compensation. The dwelling in which a farm house rental is conducted must have a demonstrable cultural or historical attribute or feature.”

Section 3. The Zoning Ordinance, Article VIII, Residential District R-2, Section 804, Conditional Uses, is amended by replacing subsection 7 and renumbering the existing subsection 7 as subsection 8, as follows:

- “7. Farm house rental on a residual farm.
- 8. Accessory uses and structures customarily incidental to the above conditional uses.”

Additionally, the Key entitled “Uses within Residential Districts” is modified to add the following after “Farm related occupations”:

	R-1	R-2	R-3
Farm house rental on a residual farm		C	

Section 4. The Zoning Ordinance, Article VIII, Residential District R-2, Section 807, Area and Bulk Regulations for Principal Buildings and Uses Permitted by Condition, is amended by adding a new subsection 7, as follows:

“7. Farm house rental on a residual farm. Such use shall comply with the requirements of Section 2531.”

Section 5. The Zoning Ordinance, Article XXV, Performance Standards, is hereby amended by adding a new Section 2531, as follows:

“SECTION 2531. FARM HOUSE RENTAL ON A RESIDUAL FARM

Farm house rentals on a residual farm shall be permitted as a conditional use in accordance with the general standards set forth in Section 2810.3 herein and specific criteria as set forth below.:

- 1. The owner of the farm house rental shall keep a register indicating the names of all guests and the length of stay of all such guests.*
- 2. Farm house rentals on a residual farm must be located in a farm dwelling which is at least 200 years old as evidenced by a historical resources report, letter from a local historic preservation society, or other appropriate documentation submitted to and approved by the Township zoning officer.*
- 3. The owner of the farm house rental does not need to reside on site but must reside in Lancaster County. .*
- 4. The owner of the farm house rental shall be the title owner of the lot which contains the farm house rental.*
- 5. The farm house rental dwelling shall be rented as a single unit. Multiple farm house rental units shall not be permitted in a single dwelling.*
- 6. A farm dwelling previously converted into a two-family dwelling shall not conduct a farm house rental use.*
- 7. The farm house rental shall be rented on a nightly basis for a period not to exceed one (1) month per guest in any twelve (12) month period.*
- 8. Ancillary agricultural activities on the property may be offered, including gardening and tending to livestock, to the extent permitted in the underlying zoning district or in this Section 2531.*

9. *There shall be no external alteration of the dwelling except as may be necessary for reasons of safety.*
10. *One (1) sign shall be permitted within the property of a farm house rental, provided said sign is in full compliance with the sign provisions contained in Article XVIII.*
11. *Farm house rentals on a residual farm within any residential or agricultural district shall be subject to the area and bulk requirements which apply to single-family dwellings in the underlying zoning district. Farm house rentals on a residual farm within any non-residential district shall be subject to the area and bulk requirements which apply in the underlying zoning district.*
12. *No more than one (1) farm house rental shall be permitted on a lot.*
13. *Farm house rentals must be connected to public water and public sewer.*
14. *At least two (2) off-street parking spaces shall be provided for the farm house rental. All vehicle parking associated with the farm house rental must be located within the garage or other enclosed, designated parking area on the property. On-street parking associated with the farm house rental is strictly prohibited.*
15. *The owner shall, upon notification that the occupants of the farm house rental have created unreasonable noise or disturbances, engaged in disorderly conduct or violated provisions of the Township Ordinances or state law pertaining to noise or disorderly conduct or littering, promptly use his/her best effort to prevent recurrence of such conduct by those occupants or guests.*
16. *No more than two (2) persons per bedroom plus two (2) additional persons shall be permitted in the farm house rental.*
17. *The owner of the farm house rental shall promote agriculture and historic preservation through education and agricultural activities on-site (or previously on-site) and in the area and may include active participation in the on-site agricultural activities as part of the consideration for the lodging.*
18. *Additional structures shall not be placed on the property by the property owner or the farm house rental occupants. This shall include but not be limited to tents, RVs, mobile or modular homes, or concessions.*

19. *Agricultural activities, agricultural promotional events and cultural events that involve more than the registered farm house rental guests are not permitted, This shall include but is not limited to weddings and parties.*
20. *The structure containing the farm house rental shall meet all applicable requirements under the 2018 - International Building Code, as amended.*
21. *The structure containing the farm house rental shall comply with the Manheim Township Property Maintenance Code.*
22. *No farm house rental shall be permitted within one (1) mile of another such establishment.*
23. *Proper storage area for food storage and garbage disposal shall be provided.*
24. *Unless a more permissive number is permitted in the applicable zoning district, farm house rentals may also include up to ten (10) small farm animals on the same property, including goats, sheep, or similar, smaller species as well as four (4) large farm animals, such as cows, horses, and mules. Poultry and other fowl may be kept on the farm house rental property only if expressly permitted in the applicable zoning district. If animals or poultry are kept on the property, the owner of the farm house rental shall appoint a manager to tend to the animals and poultry on a regular basis in accordance with Township Ordinances, and shall provide the contact information for the manager to the Township on a regular basis and upon request.*
25. *No meal service shall be permitted, other than food or meals prepared by guests on-site.”*

Section 6. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

Section 7. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 8. This Ordinance shall take effect and be in force from and after its enactment as provided by law.

DULY ENACTED AND ORDAINED this _____ day of _____ 2023,
by the Board of Commissioners of Manheim Township, Lancaster County, Pennsylvania, in
lawful session duly assembled.

**BOARD OF COMMISSIONERS OF
MANHEIM TOWNSHIP**

Attest:

(Assistant) Secretary

By: _____
(Vice) President

VERIFICATION STATEMENT

I hereby verify that the enclosed document is a true and correct copy of the ordinance that the Manheim Township Board of Commissioners will consider during a public hearing on Monday, December 11, 2023, and if appropriate, take action to enact following the public hearing or at a later scheduled meeting.

Date: 11/15/2023



J. Dwight Yoder, Esquire
Solicitor for Manheim Township Board of Commissioners