

TOWNSHIP OF EAST DRUMORE
Lancaster County, Pennsylvania

ORDINANCE NO. 1-2025

AN ORDINANCE OF THE TOWNSHIP OF EAST DRUMORE, LANCASTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 120, ZONING ORDINANCE, OF THE EAST DRUMORE TOWNSHIP CODE OF ORDINANCES INCLUDING PORTIONS OF ARTICLES II, IV, V AND VI, WHICH AMENDMENTS INCLUDE REVISING DEFINITIONS; ADDING AND DELETING PERMITTED USES; REVISING AREA AND BULK REQUIREMENTS; REVISING GENERAL REQUIREMENTS; REVISING REGULATIONS FOR SHORT-TERM RENTALS; PROVIDING FOR A CLUSTER DEVELOPMENT OPTION; AND OTHER REVISIONS.

WHEREAS, pursuant to its powers under the laws of the Commonwealth of Pennsylvania, the general supervision of the affairs of the Township of East Drumore, Lancaster County, Pennsylvania is in the hands of the Board of Supervisors of the Township of East Drumore; and

WHEREAS, Article VI of the Pennsylvania Municipalities Planning Code (Entitled, "Zoning"), 53 P.S §10601 et seq., authorizes the Board of Supervisors of the Township of East Drumore to enact, amend, and repeal zoning ordinances, which include zoning maps, within the Township of East Drumore; and

WHEREAS, the Board of Supervisors of the Township of East Drumore deems it to be in the best interest of the public health, safety and welfare of its citizens to amend the aforesaid Ordinance to address a number of provisions, as more fully set forth in detail below.

NOW THEREFORE, BE IT HEREBY ENACTED AND ORDAINED and it is hereby enacted and ordained by the Board of Supervisors of the Township of East Drumore, Lancaster County, Pennsylvania, as follows:

Section 1. Section 120-6 of the Zoning Ordinance which sets forth definitions is amended with the following definitions:

ACCESSORY DWELLING UNIT - An accessory use to the primary agricultural use of the property in which an additional temporary and portable dwelling unit is placed on a property for occupancy by up to two (2) elderly, handicapped or disabled persons related by blood, marriage or adoption, to the occupants of the principal dwelling.

BED AND BREAKFAST - A use within an owner occupied single-family detached dwelling, or an accessory building thereto which existed on the effective date of the ordinance amendment, where between one (1) and five (5) rooms are rented to overnight

guests on a daily basis for periods not exceeding two (2) weeks. Meals may be offered only to registered overnight guests. A bed and breakfast shall be considered a short-term rental.

COMMON OPEN SPACE - Any area of land or water, or a combination of land and water, within a development site designed and intended for use by all residents of the development or the general public. Land included within the right-of-way lines of streets and storm water detention basins shall not be classified as common open space. Common open spaces shall not include required setbacks between buildings and street rights-of-way, driveways, access drives, parking areas, and property lines of the development. No dwelling unit, residential accessory buildings, or parking or loading areas may be located within common open spaces.

DWELLING – Any building or portion thereof occupied or intended to be occupied exclusively for residence purposes, but not including a tent, cabin, trailer or a room in a motel.

DWELLING, EXTENDED FAMILY – A two family attached dwelling, located on a farm, for occupancy by the owner/operator of the farm and his/her family. An Extended Family Dwelling shall not be defined as Semi-detached or Two Family dwelling

FLAG LOT - A lot whose frontage does not satisfy the minimum lot width requirements for the respective zone but has sufficient lot width away from the frontage of the lot.

LOT AREA - The area contained within the lot lines of an individual lot, excluding any area within a street right-of-way.

RESIDENTIAL OCCUPANCY – The occupancy of a dwelling unit by the same family for a period of not less than 30 continuous days.

SHORT-TERM RENTAL - Any dwelling unit utilized as a single-family residence rented or leased for the purpose of transient overnight lodging for a period of thirty (30) days or less. The use of a dwelling as an approved bed-and-breakfast establishment shall be considered a short-term rental.

Section 2. Section 120-16.D establishing the permitted uses within the Agricultural District shall be amended as follows:

a. Sections 120-16.D (3) allowing for farm dwelling shall be deleted and replaced with the following:

(3) Single Family and Extended Family Dwellings subject to the following:

In order to preserve the agricultural tracts, it is the express intent of the Agricultural Zone regulations that the subdivision of lots from farms or the development of nonagricultural uses and structures on existing farms shall be limited. In addition, it is the express intent of these provisions that the maximum size of lots created for any use other than agriculture be limited in order to provide for the retention of tracts of sufficient size to be used for agricultural purposes. It is the intent of the Board of Supervisors to implement the mandate

of Section 604(3) of the Pennsylvania Municipalities Planning Code to preserve prime agricultural land through the enactment of these regulations.

(a) The following table shall be used to determine the permissible number of lots which may be subdivided, or the number of new principal uses that may be established, respectively, within this Zone. The "Lot Area" calculation contained within the following table shall be based upon all contiguous land within the Agricultural Zone held in single and separate ownership, which was held by the landowner or his/her predecessor(s) in title on August 10, 1984, the "Lot Area" calculation shall be based upon the contiguous land held in single and separate ownership on the date such land was first rezoned to the Agricultural Zone. For the purposes of this section, land held in single and separate ownership shall be considered to be contiguous regardless of whether:

- [1] Such land is divided into one or more lots, parcels, purports or tracts.
- [2] Such land was acquired by the landowner at different times or by different deeds or other means.
- [3] Such land is separated by public or private streets or rights-of-ways.

Lot Area (Acres)		Number of New Lots Which May be Subdivided and/or Number of New Principal Uses Which May be Established
At Least	Less Than	
2	25	1
25	50	2
50	75	3
75	100	4
100	125	5
	Over 125	6

(b) It is the purpose and intent of the Agricultural Zone to limit the development of agricultural tracts regardless of whether such development is accomplished by subdivision or land development as those terms are

defined in the Pennsylvania Municipalities Planning Code. It is the further purpose and intent of this Zone to limit the number of single-family dwellings or other principal nonagricultural buildings which may be erected on any tract within the Agricultural Zone. The condition of the tract on August 10, 1984, or on the date on which the tract was first zoned Agricultural Zone, shall be the basis from which the maximum development set forth above, shall be calculated.

- (c) No subdivision shall be permitted which shall increase the lot size of a lot used for residential purposes in excess of the maximum lot size. Any lot existing on August 20, 1984, which is two (2) or fewer acres in size, shall be presumed to be used for residential purposes and the size of such lot shall not be increased to more than two (2) acres.
- (d) A subdivision that merely transfers land from one farm to another farm shall not be counted against the permitted number of lots to be subdivided.
- (e) A subdivision to create a lot which will be transferred to the Township, or a municipal authority created by the Township shall not be included when computing the permissible number of lots to be subdivided from a tract as set forth above.
- (f) The number of lots which may be created or single-family dwellings or other principal nonagricultural buildings which may be erected shall be fixed according to the size of the parent tract. This number shall not be increased by the subdivision of such parent tract. Any subsequent owner of a parent tract, land remaining in the parent tract after the subdivision or land which was formerly part of a parent tract shall be bound by the actions of his predecessor.
- (d) Echo housing shall not be considered a principal use right however extended family dwelling unit shall count as two principal use rights.

b. Section 120-16.D (4) allowing for non-farm single-family dwellings shall be deleted.

c. Section 120-16.D(5) shall be renumbered to (4).

Section 3. Section 120-16.E.10 of the "East Drumore Township Zoning Ordinance of 1980," as amended (Zoning Ordinance), which sets forth short-term lodging accommodations is deleted and replaced with the following:

(10) Accessory Dwelling Unit, as defined herein, subject to the following:

- A. The accessory dwelling unit shall be of portable and temporary construction and may not exceed one thousand two hundred (1200) square feet of floor area.
- B. The total building coverage for the principal dwelling, any existing accessory structures and the accessory unit together shall not exceed the maximum lot coverage requirement for the Agricultural Zone.
- C. The accessory unit shall be occupied by no more than two (2) people, at least one of whom must be both related to the occupants of the principal dwelling by blood, marriage or adoption, and is either (a) 55 years of age or older, (b) handicapped, or (c) disabled.
- D. Utilities:
 - (1) For sewage disposal and water supply and all other utilities, the accessory unit shall be physically connected to those systems serving in the principal dwelling; no separate utility systems or connections shall be constructed or used, unless required by the PA DEP. All connection shall meet the applicable utility company standards.
 - (2) If on-lot sewage disposal or water systems are to be used, the applicant shall submit evidence to the Zoning Officer showing that the total number of occupants in both the principal dwelling and the accessory unit will not exceed the maximum capacities for which the one-unit systems were designed, unless those systems are to be expanded, in which case the expansion approvals are to be submitted. Any connection to or addition to an existing on-lot sewage disposal system shall be subject to the review and approval of the Sewage Enforcement officer.
- E. A minimum of one (1) all-weather, off-street parking space, with unrestricted ingress and egress to the street, shall be provided for the accessory unit, in addition to that required for the principal dwelling.
- F. The accessory units shall be installed and located only in the side or rear yards, and shall adhere to all side and rear yard setback requirements for principal uses.
- G. The applicant shall execute an accessory dwelling unit agreement with the Board of Supervisors. The agreement shall be recorded in the Lancaster County Recorder of Deeds office. The accessory dwelling unit shall be removed from the property within three (3) months after it is no longer occupied by a person who qualifies for the use.

Section 4. The following amendments are intended to replace references to a Bed and Breakfast use with a new Short-Term Rental use:

a. Section 120-16.F.1.j of the Zoning Ordinance which permits Bed and Breakfast by special exception in an agricultural district is amended by renaming “Bed and Breakfast” to “Short-Term Rental”.

b. Sections 120-39.3, 120-39.3.A and 120-39.3.F of the Zoning Ordinance establishing the specific criteria for Bed and Breakfast uses are amended by replacing the term Bed and Breakfast with Short-Term Rental.

Section 5. Sections 120-16.G.1 (lot area), 120-16.G.2 (lot width), 120-16.G.4 (yard requirements), and 120-16.G.3 (lot depth) of the Zoning Ordinance which establishes area and bulk requirements within the Agricultural District shall be amended as follows:

a. Section 120-16.G.1 shall be replaced with the following:

(1) Lot Area

(a) Farm: 20 acres minimum (including Extended Family Dwellings)

(b) Single Family Dwelling

[1] Minimum: 1 acre

[2] Maximum: 2 acre

[3] The maximum lot size may be increased to not more than 3 acres if required to accommodate an on-lot septic system based on the results of a sewage facility planning module study approved in accordance with current Pennsylvania Department of Environmental Protection requirements.

(c) All other permitted and special exception use – 2 acre minimum

b. Section 120-16.G.2. and subsections (a) and (b) shall be deleted and replaced with the following:

(2) Lot Width Minimum 150 feet*

*Excepting Flag lots as permitted in accordance with the requirements contained within the East Drumore Township Subdivision and Land Development Ordinance. All yards shall be considered rear yards when a flag lot is permitted.

c. Section 120-16.G.3. and subsections (a) and (b) shall be deleted and replaced with the following:

(2) Lot Depth Minimum 200 feet

d. Section 120-16.G.4 is amended to include the following footnote to the entry “Shelters Housing less 10 animals other than swine or poultry”

Footnote 1 – Excepting Driving Horse Boarding Setbacks subject to Section 120-39.2.D.5

Section 6. Section 120-17 of the Zoning Ordinance regulating uses within the R-1 Residential District, shall be amended as follows:

- a. Section 120-17.C.11 shall be deleted to remove Short-Term Lodging.
- b. Section 120-17.D.7 shall be amended by changing the cross reference from section 129-39.2 to 120-39.2.
- c. Section 120-17.D.8 shall be deleted.
- d. Section 120-17.E.1 “Lot Size Minimum” shall be amended as follows:
 - i. Section 120-17.E.1.a shall be deleted and replaced with the following:
 - (a) Single-Family Dwelling: 1 acre
 - ii. Section 120-17.E.1.b. shall be deleted and replaced with the following:
 - (b) Two-Family Dwelling and Other Uses: 2 acres.
- e. Section 120-17.E.2.b “Lot Width Minimum” for Two-Family Dwellings shall be amended from 200 feet to 150 feet.
- f. Section 120-17.E.3.a “Lot Depth Minimum” for Single-family dwelling and two-family dwelling shall be amended from 150 feet to 200 feet.

Section 7. Section 120-18.C.11 of the Zoning Ordinance allowing for Short-Term Lodging Accommodations as an accessory use in the R-2 Residential District is deleted.

Section 8. Section 120-18.D.5 of the Zoning Ordinance regarding conversion of an existing resident structure is deleted and replaced with the following:

- (5) Conversions of an existing residential structure from a one-family dwelling to a two-family dwelling.

Section 9. Section 120-18.D.6 of the Zoning Ordinance allowing for multiple dwellings is deleted and replaced with the following:

- (6) Multiple Family Dwellings in accordance with the Cluster Development criteria in Section 120-18.E.2

Section 10. Section 120-18.E of the Zoning Ordinance governing the area and height regulations of the R-2 Zoning District is amended as follows:

- a. Section 120-18.E “Area and Height Regulations” shall be deleted.
- b. A new Section 120-18.E.1 “Conventional Design Requirements” shall be added as follows:

E.1. Conventional Design Requirements

Table Bulk Requirements (Single and Two Family Dwellings)

Use	Required Public Utilities	Minimum Lot Area	Maximum Density (du/ac)	Minimum Lot Width	Maximum Lot Coverage	Maximum Building Height	Minimum Yard Setbacks			
							Front	One Side	Both Sides	Rear
SFD	None	43,560 sq. ft	1.0	150 ft	20%	35'	50'	25 ft	50 ft	35 ft
Two Family Dwellings	None	40,000 sq. ft. per unit	1.0	100 ft. per unit	20%	35'	50'	25 ft	N/A	50'
Other Special Exception Uses	None	3 acres	N/A	200 ft.	30%	35'		30 ft.	(60 ft.)	50 ft.

- c. A new Section 120-18.E.2 “Cluster Development Design Requirements” shall be added as follows:

E.2 Cluster Development Design Requirements

- (a) Within the (R-2) Zone, cluster developments are permitted by special exception, subject to the following standards:
- (b) **Purpose** - This special exception use is intended to blend various residential development types amid areas of the Township that are characterized by severe development constraint and/or natural sensitivity. It is the express purpose to offer a density bonus and flexible design standards as enabled in the Act for the preservation and protection of natural-cultural features and/or the provision of

- public accessible common open space;
- (c) The minimum lot area devoted to a cluster development shall be ten (10) acres;
 - (d) All proposed dwellings shall be connected to and served by both a community water and community sewer system or both public sewer and public water utilities;
 - (e) Delineation of Required Common Open Space - As part of the site planning process for the cluster development, the applicant shall be required to prepare a detailed natural and cultural features inventory of the site. Such features shall become all or part of the required common open space. Qualified experts must identify, describe and plot each of the following found on the proposed site:
 - [1] Natural and Cultural Features
 - 100-year floodplains;
 - steep slopes [greater than fifteen percent (15%)];
 - wetlands, streams, ponds, or other water bodies;
 - sinkholes, caves, vistas, or other significant geologic features;
 - threatened or endangered species habitats;
 - archaeological resources
 - historic resources; and,
 - significant stands of mature trees.
 - [2] Proposed parklands may be included within required common open space if such parkland complies with the following:
 - a) The site shall be located and designed so that safe and convenient access shall be provided to all existing and proposed inhabitants. Additionally, each site shall have at least one (1) area available for vehicular access that is no less than twenty-four (24) feet in width;
 - b) The site shall be sized and configured so as to accommodate its intended uses. Sufficient lot width/depth dimension shall be provided so as to accommodate, where practicable, ball fields, courts and other open play areas. Furthermore, should a development be proposed at a location contiguous to an existing park, parklands should be provided, where practicable, as an expansion of the existing facility;
 - c) The site shall have suitable topography and soil conditions for use and development as active play areas. No more than twenty-five percent (25%) of the site shall be comprised of floodplains, storm water management facilities and/or slopes exceeding three percent (3%). Any unimproved site shall be provided with a healthy and vibrant grass ground cover;

- d) The site shall be located and designed to conveniently access proximate public utilities (e.g, sewer, water, power, etc.). However, no part of any overhead utility easement, nor any above ground protrusion of an underground utility should be permitted in active play areas of the site;
- e) No part of the site shall be calculated as part of any required setback, yard and/or open space for adjoining lots or uses as regulated by the Zoning Ordinance; and,
- (f) Required Ratio of Housing Types - The following tabulates permitted residential structure types and densities within cluster developments based upon the extent of proposed common open space.

Proposed Common Open Space (Percent of Total Site Area)	Percentage of Dwelling Units Required by Structural Type		
	Single-Family Detached	Two-Family Dwelling	Multiple-Family Dwellings
No less than 30%	At least 90%	No more than 10%	No more than 10%
31 to 50%	At least 65%	No more than 35%	No more than 35%
51 to 65%	At least 30%	No more than 70%	No more than 70%
65% or more	No more than 100%	No more than 100%	No more than 100%

- (g) Required Design Standards - Within cluster developments, the maximum permitted residential density is three (3) units per net acre of the site, including common open space. The following table and requirements present applicable design standards applied to the various dwellings/lots:

Use	Minimum Lot Area	Maximum Permitted Height	Minimum Lot Width at Building Setback/(Frontage)		Maximum Lot Coverage	Minimum Required Yards			
						Front ³	One Side	Both Sides	Rear ⁴
Single-Family Detached Dwelling	10,000 sq. ft.	35 ft.	75 ft.	(75 ft.)	35%	25	10 ft.	20 ft.	35 ft.
Two-Family Dwelling	4,500 sq. ft. per unit	35 ft.	40 ft.	(40 ft. per unit)	40%	25	20 ft.	N/A	35 ft.

Townhouse - Multiple - Family	2,500 sq. ft. per unit	35 ft	24 ft	24 ft	40%	25	25 ft ⁴	N/A	35 ft.
Apartment-Multiple - Family	43,560 sq. ft.	35 ft.	200 ft.	(200 ft.)	60%	25	30 ft.	60 ft.	35 ft.

(h) Additional Design Requirements

- [1] No multiple family apartment building shall contain more than eight(8) units and no multiple family townhouse building shall contain more than six (6) units.
- [2] No more than sixty percent (60%) of Townhouses within a single building shall have the same front yard setback; the minimum variation of setback shall be two (2) feet.
- [3] No more than two (2) contiguous units shall have identical roof lines that generally parallel the ground along the same horizontal plane. All multiple family buildings shall be set back a minimum of twenty five (25) feet from any interior access drives, or parking facilities contained on commonly-held lands.
- [4] In those instances where several multiple-family dwelling buildings are located on the same lot, the following separation distances will be provided between each building:
 - a) Front to front, rear to rear, or front to rear, parallel buildings shall have at least fifty (50) feet between faces of the building. If the front or rear faces are obliquely aligned, the above distances may be decreased by as much as ten (10) feet at one end if increased by similar or greater distance at the other end.
 - b) A minimum yard space of thirty (30) feet is required between end walls of buildings. If the buildings are at right angles to each other, the distance between the corners of the end walls of the building may be reduced to a minimum of twenty-five (25) feet.
 - c) A minimum yard space of thirty (30) feet is required between end walls and front or rear faces of buildings.
 - d) All multiple-family dwelling buildings shall be set back a minimum of twenty five (25) feet from any interior access drives or parking facilities contained on commonly-held lands.
 - e) Where dwellings abut common open space to the rear, the minimum required rear yard setback shall be reduced to twenty (20) feet.

- (i). Common Open Space Requirements - The ownership and maintenance of common open space shall be governed by the requirements set forth in Section 120-47.4 Common Open Space.

Section 11. Section 120-18.F.1 of the Zoning Ordinance establishing parking standards in the R-2 Zoning District shall be amended as follows:

- (1) Residential Uses.
 - (a) Single Family and Two Family Dwellings: 2 spaces per dwelling unit
 - (b) Multiple Family Dwellings: 2 spaces per dwelling unit

Section 12. Section 120-19 of the Zoning Ordinance governing uses in the Commercial District shall be amended as follows:

- a. Section 120-19.C.9 allowing “Dwellings with Rooms offered for Transient Occupancy” shall be deleted.
- b. Section 120-19.C.10 allowing for “Multiple dwelling units, including apartments, row or attached dwellings and townhouses” shall be deleted.
- c. A new Section 120-19.C.11 allowing for a contractor’s shop, headquarters and storage yards shall be added as follows:
 - (11) Shops, headquarters and fenced storage yards for contractors.
- d. Section 120-19.E.5 allowing for Bed and Breakfast shall be deleted and section 120-19.E.6 allowing for “Banquet halls, community centers, special event venues and similar facilities” shall be renumbered from (6) to (5).
- e. Section 120-19.F.1 shall be deleted and replaced with the following:
 - (1) Lot Size (minimum required): 1 acre
- f. Section 120-19.F.4 shall be deleted and replaced with the following:
 - (4) Yard requirements (minimum required):
 - Front: 50 feet
 - Side: 25 feet*
 - Rear: 50 feet
 - * Side yard shall be increased to 50 feet when adjacent to a residential use.
- g. Section 120-20.F.1 shall be deleted and replaced with the following:
 - (1) Lot size (minimum required): 2 acres.

Section 13. Section 120-40. of the Zoning Ordinance establishing Common Regulations applying to all districts shall be amended as follows:

- a. A new Section 120-40.H shall be added as follows:

H. Required Conservation Plan

Any agricultural, horticultural or forestry-related uses which involve earthmoving activities, or the commercial harvesting or timbering of trees, shall require a conservation or agricultural erosion and sediment control plan meeting the requirements of and pursuant to PA DEP Chapter 102 Erosion Control of Title 25 Rules and Regulations.

- b. A new Section 120-40.I shall be added as follows:

I. Required Nutrient and/or Manure Management Plans

All agricultural uses shall comply with the Pennsylvania Nutrient Management Act of 1993, as may be amended.

- c. A new Section 120-40.J shall be added as follows:

J. Erection of More Than One Principal Use On A Lot

In any district, more than one principal use may be erected on a single lot provided that yard area and other requirements of this Ordinance shall be met for each building as though it were on an individual lot. The individual lot requirements shall not apply to the permitting or use of a building as a second dwelling unit on a single property. In no case shall a lot contain more than three (3) principal uses.

- d. A new Section 120-40.K shall be added as follows:

K. Required Vehicular Access

Every building hereafter erected or placed shall be on a lot adjacent to a public road or with access to an approved private road, and all structures shall be so located on lots so as to provide safe and convenient access for servicing, fire protection and required off-street parking. The access to a proposed structure shall be from the lot frontage of the proposed lot.

- e. A new Section 120-40.L shall be added as follows:

L. Garage/yard sales.

Within any district, an owner and/or occupant may conduct up to two garage/yard sales per year. No garage or yard sale shall be conducted for a period longer than three consecutive days. Such sales may offer for sale personal possessions; no import or stocking of inventory shall be permitted. Only one sign

of a maximum of four square feet shall be permitted advertising the garage/yard sale located upon the premises where the sale occurs, and shall be removed promptly upon the completion of the sale. In no case shall any aspect of the garage/yard sale be conducted in a street right-of-way. The conduct of garage sales beyond the extent described herein represents a commercial business and requires appropriate zoning authorization.

Section 14. Section 120-43.E of the Zoning Ordinance prohibiting the location of a storm drainage or sewage disposal system is deleted. The following subsections F, G, and H shall be changed to E, F, and G.

Section 15. Section 120-47.3 of the Zoning Ordinance regulating Short-term Lodging Accommodations shall be deleted and replaced with the following:

Section 120-47.3 SHORT-TERM RENTALS

Short-term rentals shall meet all the following requirements:

- A. No more than one short-term rental unit may be located on a lot. A bed and breakfast shall be considered one short-term rental unit even if individual rooms in the bed and breakfast are rented to different guests. A short-term rental which is not a bed and breakfast shall be rented as a single unit. Multiple short-term rental units shall not be permitted in a single structure.
- B. The owner of the short-term rental unit shall be the owner of the lot which contains the short-term rental unit. The owner of the short-term rental unit shall either reside on the lot which contains the short-term rental unit or shall reside on a contiguous lot of which he/she is the title owner. The ownership of the lot containing the short-term rental unit and ownership of the contiguous lot if the owner does not reside on the lot containing the short-term rental unit shall be identical. No application for a short-term rental unit where the owner lives on a contiguous lot shall be complete without copies of recorded deeds for the lot containing the short-term rental unit and the contiguous lot which demonstrate that the ownership of both lots is identical at the time the application is filed.
- C. The short-term rental unit shall be located within a principal or accessory structure that legally existed on January 1, 2024. No addition to a structure existing on January 1, 2024 shall be permitted to create the short-term rental unit. Any alteration to a structure that existed on January 1, 2024, for the purpose of establishing a short-term rental unit shall be limited to items set forth in this Section 459 or to alterations to address accessibility, fire and life safety, or UCC requirements. No modifications to the external

appearance of the structure (except fire escapes) which would alter its residential character shall be permitted.

- D. Short-term rental units connected to on-lot sewage disposal systems shall be subject to review and approval by the East Drumore Township Sewage Enforcement Officer.
- E. The applicant for a special exception shall demonstrate that the short-term rental unit contains or meets the following:
 - (1) Smoke detector in each bedroom.
 - (2) Smoke detector outside each bedroom in the common hallway.
 - (3) Smoke detector on each floor, including attic and basement.
 - (4) GFI outlet required if an outlet located within six feet of water source.
 - (5) Metal exhaust from dryer (if dryer provided).
 - (6) Carbon monoxide detector if fossil fuel appliances or furnace is installed.
 - (7) Carbon monoxide detector if garage is attached to unit.
 - (8) Fire extinguisher in kitchen mounted in conspicuous location with a current charging tag.
 - (9) Indoor and outdoor stairs in good condition with handrails.
 - (10) All outlets and switches shall be properly covered.
 - (11) Fully functional bathing and toilet facilities.
 - (12) Fully functional kitchen if the short-term rental is not a bed and breakfast.
 - (13) A placard shall be erected showing the floor plan to the front door exit. The placard shall be posted on the interior side of the front exit door or in an alternate location approved by the Zoning Officer.
- F. The applicant shall prepare and present to the Zoning Hearing Board a notice which shall be prominently and continuously posted in the short-term rental unit which shall contain all of the following information:
 - (1) The name of the owner of the short-term rental unit and a telephone number at which that party or a contact person designated may be reached on a 24-hour basis.

- (2). The 911 address of the property.
- (3) The maximum number of occupants permitted to stay in the short-term rental. No more than two (2) persons per bedroom plus two (2) additional persons shall be permitted in the short-term rental unit.
- (4) The maximum number of vehicles allowed to be parked on the lot and the requirement that parking is not permitted in any public road right-of-way.
- (5) Notification that trash and refuse shall not be left or stored on the exterior of the structure except in secure, watertight metal or plastic cans designed for such storage with a limit of three (3) containers.
- (6) Notification that an occupant may be cited and fined for creating a disturbance or for violating other provisions of applicable Township Ordinances.
- (7) Notification that the occupants complete a manifest identifying the occupants. 8. Identification of the local contact person and an alternate local contact person who each shall have access and authority to assume management of the short-term rental unit and take remedial measures, together with a telephone number for each. The local contact person and alternate contact person shall be located within 15 miles of the short-term rental unit. An owner may designate himself/herself as the local contact person. If the special exception is approved, the local contact person or alternate local contact person shall respond to the Township or to a police officer within one (1) hour after being notified by such official of the existence of a violation of this Ordinance or any disturbance requiring immediate remedy or abatement. If the local contact person is not the owner, the local contact person shall immediately advise the owner of any notification of violation. The owner may change the local contact person or alternate local contact person only after written notice to the Zoning Officer providing the name, address and telephone number of the new local contact person or alternate local contact person, and any new local contact person or alternate local contact person shall meet all requirements of this subsection.

- G. If the special exception is granted, the applicant shall provide the Zoning Officer with confirmation that the applicant has taken all action required to register with the Lancaster County Treasurer to enable the applicant to pay the hotel and/or room taxes imposed by Lancaster County. The Zoning

Officer shall not issue a certificate of occupancy for the short-term rental unit until the applicant presents such confirmation of registration.

- H. A short-term rental unit may be rented only to a person 21 years of age or older.
- I. The owner shall use his/her best efforts to assure that the occupants of the short-term rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of Township Ordinances or any state law pertaining to noise or disorderly conduct by notifying occupants of the rules regarding short-term rental units and responding when notified that occupants are violating laws regarding their occupancy.
- J. The owner shall, upon notification that the occupants of the short-term rental unit 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.
- K. The owner of the short-term rental unit shall pay a fee to defray the cost of response by the Zoning Officer if the Zoning Officer has to respond to a complaint that the occupants of the short-term rental unit have created unreasonable noise or disturbances, engaged in disorderly conduct or violated provisions of Township Ordinances or state law pertaining to noise or disorderly conduct or littering and determines that the activity alleged in the complaint occurred at the short-term rental unit. The Zoning Officer shall forward a report of the Zoning Officer's investigation to the owner of the short-term rental unit and the Board of Supervisors. Such report shall also include the time the Zoning Officer was required to devote to the complaint. The Township shall bill the owner of the short-term rental unit for the time incurred in accordance with the then-current hourly rate for services of the Zoning Office. Notwithstanding the foregoing, a response by police or emergency services which falls within the protection of Act 200 of 2014 shall not be considered a complaint for which an owner is subject to a fee.
- L. The short-term rental unit shall be inspected by the Zoning Officer prior to the issuance of a permit to verify compliance with the requirements of this Ordinance. The short-term rental unit shall be inspected every three (3) years commencing on the date of the initial short-term rental permit prior to the yearly permit issuance.
- M. The owner of the short-term rental unit shall submit an application each year for a permit to authorize continued operation of the short-term rental unit, accompanied by any fee which the Board of Supervisors may establish by

resolution. The application shall require that the owner provide sufficient information for the Zoning Officer to confirm the name and contact information for the local contact person and alternate local contact person, confirm that all short-term rental units meet the life and safety requirements of this Section as verified per the required inspection schedule, confirm the required notice posting, confirm that any fees billed under this ordinance have been paid and confirm that the short-term rental unit meets all other applicable Township Ordinances. If the Zoning Officer confirms that the short-term rental unit meets such requirements, the Zoning Officer may issue a permit to authorize continued operation of the short-term rental unit for a one-year period. The operation of the short-term rental unit without the required annual permit is a violation of this Ordinance.

Section 16. Section 120-39.2 of the Zoning Ordinance regulating Boarding Horses shall be amended by deleting all references to “R-2” from this section and all subsections.

Section 17. Section 120.39.3 of the Zoning Ordinance regulating Bed and Breakfast shall be deleted.

Section 18. Section 120-40. Accessory buildings will be deleted and revised as follows:

a. Section 120-40.A shall be revised to read:

A. Residential Accessory Use Setback and Height Regulations

- (1) Accessory structures of two hundred and fifty (250) square feet and greater shall comply with the principal use setback requirements.
 - (a) No accessory use shall be permitted within the front yard.
 - (b) Maximum permitted height: Twenty (20) feet.
- (2) Accessory structures of less than two hundred and fifty (250) square feet.
 - (a) No accessory use shall be permitted within the front yard.
 - (b) Maximum permitted height: Twelve (12) feet.
 - (c) Minimum rear yard/side yard setback: Ten (10) feet.

Section 19. A new section to be added to the Zoning Ordinance at Section 120-47.4 as follows:

§ 120-47.4 Common Open Space.

In those instances where open space is required elsewhere in this Ordinance, or when an applicant proposes the use of open space, such open space shall comply with the following:

- A. Required open space shall be designed and arranged to achieve at least one of the following objectives, and the applicant shall demonstrate specific measures employed to achieve these objectives:
 - (1) Protection of important natural resources (e.g., streams, ponds, wetlands, steep slopes, woodlands, unique geologic features, wildlife habitats, aquifer recharge areas, etc.);
 - (2) Protection of important historical and/or archaeological sites;
 - (3) Provision of usable play and recreation areas that are conveniently accessible to residents within the development and the Township; and,
 - (4) Integration of greenbelts throughout the development that link residences with on-site or adjoining parks, schools or other similar features.

- B. An essential element of the provision of open space is a written description regarding its ownership and/or disposition. Such ownership and/or disposition shall be accomplished through one of the following:
 - (1) An offer of dedication to the Township. The Township shall not be obligated to accept dedication of the common open space;
 - (2) With permission of the Township, and with appropriate deed restrictions in favor of the Township and in language acceptable to the Township Solicitor, the developer may transfer ownership of the common open space or a portion thereof to a private, nonprofit organization among whose purposes is the preservation of open space land and/or natural resources. The organization shall be a bona fide conservation organization with a perpetual existence, the conveyance must contain appropriate provision for reverter or retransfer if the organization is unable to maintain the land, and the organization must enter into a maintenance agreement with the Township. The developer shall provide for and establish an organization for the ownership and maintenance of the common open space which shall be generally consistent with the requirements for unit owners and associations found in the Pennsylvania Uniform Condominium Act, 68 Pa. C.S. §3101 et seq. If such an organization is created, the agreements of sale and deeds for all lots shall contain the following requirements in language acceptable to the Township Solicitor:
 - (a) Such organization shall not dispose of the common open space by sale or otherwise, except to the Township unless the Township has given prior

written approval. Such transfer shall be made only to another organization which shall maintain the common open space in accordance with this Ordinance;

- (b) The organization and all lot owners shall enter into a maintenance agreement with the Township and shall agree to be bound by the provisions of Article VII of the Pennsylvania Municipalities Planning Code relating to the maintenance of deteriorating common open space by municipalities; and,
- (c) The Township may require the establishment of a reserve fund to provide for maintenance of or capital improvements to the common open space.

Section 20. All other sections, parts and provisions of Chapter 20 of the East Drumore Township Code of Ordinances shall remain in full force and effect as previously enacted and amended.

Section 21. 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 remain in full force and effect.

Section 22. These amendments shall take effect and be enforced from and after their approval as provided by law.

DULY ORDAINED AND ENACTED this 1 day of May, 2025, by the Board of Supervisors of East Drumore Township, Lancaster County, Pennsylvania, in lawful session duly assembled.

Attest: Ken Schneider
(Assistant) Secretary

EAST DRUMORE TOWNSHIP
Lancaster County, Pennsylvania

By: Scott Krenetz
Chairman

