

ORDINANCE SERIES: 2021

ORDINANCE NO: 698

**AN ORDINANCE OF THE BOROUGH OF LITTLESTOWN,
COMMONWEALTH OF PENNSYLVANIA,
AMENDING AND SUPPLEMENTING
THE LITTLESTOWN BOROUGH ZONING ORDINANCE**

BE IT ENACTED AND ORDAINED by the Borough of Littlestown, Adams County, Pennsylvania, by the Littlestown Borough Council, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1: TEXT AMENDMENT

Section 500-2.C shall be amended by adding the following definitions.

Storage Container – A shipping or cargo container, originally designed and intended for holding products while being transported by ship, rail, or truck, and that has been repurposed for use as a fixed storage structure on a lot. This term does not include railroad cars, converted mobile homes, trailers, recreational vehicles, bus bodies or similar types of vehicles or containers.

SECTION 2: TEXT AMENDMENT

Section 500-10.B(4) shall be amended by adding Subsection (c) to read as follows.

- (c) Solar Panels, Ground-Mounted, as an accessory use, in accordance with Section 500-26.B.

SECTION 3: TEXT AMENDMENT

Section 500-13.B(2) shall be amended by adding Subsection (f) to read as follows.

- (f) Solar Panels, Ground-Mounted, as an accessory use, in accordance with Section 500-26.B.11.

SECTION 4: TEXT AMENDMENT

Section 500-15.B(3) shall be amended by adding Subsection (c) to read as follows.

- (c) Solar Panels, Ground-Mounted, as an accessory use, in accordance with Section 500-26.B.

SECTION 5: TEXT AMENDMENT

Section 500-26.B shall be amended to read as follows.

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- B. Solar panels, ground-mounted. Ground-mounted solar panels shall be permitted in accordance with the following standards.
- (1) Ground-mounted solar panels shall only be permitted within the C-3, C/E, and I/E Districts. Ground-mounted solar panels shall not be permitted within the R-1, R-2, R-3, TCR, and TCMU Districts.
 - (2) Ground-mounted solar panels shall comply with the setback requirements of the zoning district in which the installation of the solar panel is proposed.
 - (3) Ground-mounted solar panels shall not be permitted by right in front of any principal building.
 - (4) Ground-mounted solar panels shall not exceed a height of 10 feet.
 - (5) Glare from ground-mounted solar panels shall be directed away from adjoining properties or street rights-of-way. Fences or vegetative screens may be utilized to prevent glare from impacting adjoining properties or street rights-of-way.
 - (6) Ground-mounted solar panels shall be enclosed by a fence that complies with the requirements of Section 500-19.N.
 - (7) A planting or buffer strip that complies with the requirements of Section 500-19.G shall be installed around the outer perimeter of the fence required by Section 500-26.B(6).

SECTION 6: TEXT AMENDMENT

Section 500-26.C, including Subsections (1), (2), and (3), shall be removed and shall be replaced with the following.

- C. Wind Turbines. Wind turbines shall not be permitted.

SECTION 7: TEXT AMENDMENT

Section 500-26.D shall be amended by adding the following as Subsection (3).

- (3) Removal. Power-generation facilities shall be completely decommissioned by the facility owner within twelve (12) months after the end of the useful life of the facility or if the facility has not produced power for the previous twelve (12) months. Decommissioning shall include removal of the entire power-generation facility, including buildings, cabling, electrical components, foundations, pilings, and any other associated feature. Failures of the property owner to decommission a power-generation facility in accordance with this Section shall constitute a violation of the Zoning Ordinance and shall be subject to the enforcement remedies established in Article VIII.

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SECTION 8: TEXT AMENDMENT

Article VI shall be amended by adding the following as Section 500-28.

§500-28. Use of Storage Containers as Accessory Buildings.

- A. The use of a Storage Container as an accessory storage building shall only be permitted in the I/E District. The use of a Storage Container as an accessory storage building shall not be permitted in the R-1, R-2, R-3, TCR, TCMU, C-3, or C/E Districts, or upon any residential property regardless of the zoning district.
- B. A Storage Container used as an accessory storage building shall be subject to dimensional standards, including but not limited to setback and lot coverage standards, of the underlying zoning district.
- C. Stacking of Storage Containers for accessory storage building purposes shall not be permitted.
- D. Storage Containers used for accessory storage building purposes may only be located to the side or rear of the principal building. Storage Containers shall not be permitted to be placed in front of any principal building.
- E. Storage Containers used for accessory storage building purposes shall be placed on a flat, improved surface. Such surfaces include paved surfaces or a gravel foundation. In no case may a Storage Container be placed directly on a bare earth or vegetated surface.
- F. Storage Containers used for accessory storage building purposes shall not be placed in an area previously designed for on-lot parking spaces or for loading spaces. Such Storage Containers shall not be placed in a manner that blocks or in any way hinders access to on-lot parking spaces or loading spaces.

SECTION 9: REPEALER

All provisions of previous ordinances of the Borough of Littlestown which are contrary to this Ordinance are expressly repealed.

SECTION 10: SAVINGS CLAUSE

In all other respects, the Code of the Borough of Littlestown shall remain as previously enacted and ordained.

SECTION 11: SEVERABILITY

The provisions of this Ordinance are declared to be severable, and if any section, subsection, sentence, clause, or part thereof is, for any reason, held to be invalid or to be

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unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses, or part of this Ordinance.

SECTION 12: EFFECTIVE DATE

This Ordinance shall be effective on May 25, 2021.

IN WITNESS WHEREOF, the present Ordinance has been duly enacted and ordained this 25th day of May, 2021.

**BOROUGH OF LITTLESTOWN,
COUNTY OF ADAMS, PENNSYLVANIA
LITTLESTOWN BOROUGH COUNCIL**

ATTEST

BY:

Sandy Conrad
Borough Secretary

Ronald L. Baird
Ronald L. Baird, President