

**BOROUGH OF CORNWALL
LEBANON COUNTY, PENNSYLVANIA**

ORDINANCE NO. _____

AN ORDINANCE OF THE BOROUGH OF CORNWALL, LEBANON COUNTY, PENNSYLVANIA, TO AMEND THE CORNWALL BOROUGH CODE OF ORDINANCES, CHAPTER 14, ZONING, TO DEFINE LAKE RESORT COMMUNITY (§ 14-202); TO REVISE THE PURPOSE (§ 14-1501) AND PERMITTED USES (§ 14-1502) OF THE LIMITED INDUSTRIAL DISTRICT (LI);

**AND TO ADD SPECIFIC CRITERIA
FOR A LAKE RESORT COMMUNITY (§ 14-2619).**

WHEREAS, Cornwall Borough Council has conducted a public hearing to consider an amendment to the Cornwall Borough Code of Ordinances (the "Code of Ordinances"), Chapter 14, Zoning; and

WHEREAS, prior to the public hearing, the proposed amendment was provided to the Cornwall Borough Planning Commission and to the Lebanon County Planning Department for comments as provided by law; and

WHEREAS, after a public hearing and after consideration of all information, comments and questions, members of the Cornwall Borough Council have deemed it beneficial to the residents of Cornwall Borough and to the promotion of the health, safety, morals, convenience, order and welfare of present and future inhabitants of Cornwall Borough to amend the Code of Ordinances as hereinafter set forth.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Council of Cornwall Borough as follows:

SECTION 1. The Code of Ordinances of the Borough of Cornwall, Chapter 14, Zoning, Article 2, Definition of Terms, §14-202, Terms Defined, shall be amended by adding the following term and definition in alphabetical order:

* * *

Lake resort community – A use and a form of integrated and cohesive mixed-use development adjacent to a lake that serves as the primary attraction or focal point and includes housing, lodging, dining, leisure time, recreation, entertainment or educational uses, activities and amenities, as well as other complementary and compatible uses, which is planned, designed and constructed based on an overall site development master plan.

* * *

SECTION 2. The Code of Ordinances of the Borough of Cornwall, Chapter 14, Zoning, Article 15, Limited Industrial District (LI), § 14-1501, Purpose, shall be amended to read as follows:

The regulations of the Limited Industrial District are designed primarily to provide an area in which a variety of limited industrial uses and some commercial uses may be located. Essentially, this district provides for limited industrial uses as permitted by right, along with limited commercial uses, including accessory retail sale of uses produced or stored on the same lot. While new residential uses of land generally are excluded in this district, certain mixed-use developments that include residential uses are permitted subject to specific standards. Limited industrial areas have been located near existing public utility service areas and along major roads. Design standards have been imposed to create attractive site designs and moderate the objectionable impacts associated with industrial uses. Substantial setbacks are used to protect adjoining residences.

SECTION 3. The Code of Ordinances of the Borough of Cornwall, Chapter 14, Zoning, Article 15, Limited Industrial District (LI), § 14-1502, Permitted Uses, shall be amended to read as follows:

* * *

- C. Retail businesses.
- D. Office uses when directly in connection with permitted uses.
- E. Communications antennas, communications equipment buildings, and communications towers, subject to the conditions listed in §14-2613 of this Chapter.
- F. Forestry activities, subject to the conditions listed in §14-2220 of this Chapter.
- G. Lake resort community, subject to the conditions listed in § 14-2619 of this Chapter.
- H. Customary accessory uses and buildings incidental to any of the above permitted uses as provided for in Article 22 of this Chapter.

SECTION 7. The Code of Ordinances of the Borough of Cornwall, Chapter 14, Zoning, Article 26, Criteria for Special Exceptions, Conditional Uses, and Other Selected Uses, shall be amended by adding a new § 14-2619, Lake Resort Community, to read as follows:

§14-2619 Lake Resort Community.

Lake Resort Communities permitted in the Limited Industrial (LI) District are subject to the following additional conditions:

A. Lake Resort Community Development Site Requirements.

1. Minimum Area. The minimum area devoted to the Lake Resort Community development site shall be 50 gross acres, which may be comprised of one or more contiguous lots.
2. Minimum Frontage and Access. The Lake Resort Community development site shall have a minimum of:
 - a. 250 feet of lot frontage along, and direct vehicular access to, a Major Road as defined in Article 2 of this Chapter; and

- b. 250 feet abutting along a tax parcel containing a lake.
 - 3. Public Water and Public Sewer Required. The Lake Resort Community development site shall be served by public water and public sewer facilities.
 - 4. Minimum Open Space. A minimum of 20% of the gross area of the Lake Resort Community development site shall be designated and reserved as permanent open space. Permanent open space required by this subsection shall be allowed in lieu of any public park and open space land or fees in lieu of, required by § 13-518 of the Cornwall Borough Subdivision and Land Development Ordinance [Chapter 13].
 - 5. The overall Lake Resort Community Development site may be subdivided or developed as a planned community or condominium for separate ownership or lease (or as otherwise required by the Municipalities Planning Code or the Cornwall Borough Subdivision and Land Development Ordinance [Chapter 13]).
- B. Permitted Uses. The following is a list of uses or activities that are permitted by right within a Lake Resort Community.
- 1. Single-family detached dwellings.
 - 2. Single-family semidetached dwellings.
 - 3. Single-family attached dwellings and townhouse dwellings.
 - 4. Two-family detached dwellings.
 - 5. Two-family semi-detached dwellings.
 - 6. Two-family attached dwellings.
 - 7. Apartment dwellings and apartment buildings.
 - 8. Group family dwellings, subject to conditions listed in § 14-2606 of this Chapter.
 - 9. Community clubs, non-profit clubs, private clubs and membership clubs.
 - 10. Community facilities such as police and fire protection facilities, museums, libraries, etc.
 - 11. Churches and related uses.
 - 12. Municipal uses and buildings.
 - 13. Parks, playgrounds and other outdoor areas for active and/or passive recreation.

14. Swimming, health/fitness and/or tennis clubs, spas, wellness centers.
15. Hotels and motels.
16. Marinas for boats and watercraft; public and private boats docks; boat storage buildings and associated equipment and facilities.
17. Water related recreational uses of ponds and lakes.
18. Jogging, walking, bicycle and golf cart pathways, storage buildings, and rental facilities.
19. Ice skating facilities.
20. Theaters.
21. Retail business, retail store/sales and repair services
22. Restaurants, sit-down and restaurant-fast food.
23. Business services.
24. Personal services.
25. Business and professional offices.
26. Day care centers, subject to conditions listed in §§ 14-2609.A through 14-2609.F of this Chapter; and adult day care facilities.
27. Forestry activities and timber harvesting, subject to conditions listed in § 14-2220 of this Chapter.
28. Parking lots.
29. All other uses which in the opinion of the Zoning Officer are similar to the above uses and in harmony with the intent of the regulations for this district. When a proposed use is not sufficiently similar to enable the Zoning Officer to make a ruling, the Zoning Hearing Board shall make a determination as authorized in Article 30 of this Chapter.
30. Accessory uses and buildings incidental and subordinate to any use permitted by § 14-2619.B, as provided for in Articles 22 (Supplementary District Regulations), 24 (Off-Street Parking and Loading) and 25 (Signs and Advertising Structures) of this Chapter, and including the following:
 - a. Accessory apartments.
 - b. Guest homes and bed and breakfast lodging, subject to conditions listed in § 14-2610 of this Chapter.

- c. Home Businesses and home occupations, subject to conditions listed in § 14-2612 of this Chapter.
- d. Family day care homes, subject to conditions listed in § 14-2607 of this Chapter; and group day care homes, subject to conditions listed in § 14-2608 of this Chapter.

C. **Lot Area, Building Height, and Yard Requirements.** A lot width, lot area, lot coverage, yard setback, and building height requirement of not less than the dimensions shown in the following table, unless otherwise specified in the § 14-1505 (Lot Area, Building Height, and Yard Requirements), or elsewhere in this Chapter, shall be provided for every dwelling unit and/or principal nonresidential building or use erected, altered, or established in a Lake Resort Community.

1. **Lot Area and Yard Requirements.**

Use	Lot Requirements			Yard Requirements		
	Min. Lot Area	Min. Lot Width	Max. Lot Coverage	Min. Front Yard	Min. Side Yard	Min. Rear Yard
Single-Family Detached Dwelling	4,000 SF/unit	40'	80%	25'	8'	20'
Single-Family Semi-Detached Dwelling	1,800 SF/unit	18'	80%	25'	8'	20'
Single-Family Attached Dwelling	1,800 SF/unit	18'	80%	25'	0' – attached side 8' – unattached side	20'
Two-Family Attached Dwelling	1,800 SF/unit	18'/unit	80%	25'	0' – attached side 8' – unattached side	20'
Two-Family Detached Dwelling	1,800 SF/unit	18'/unit	80%	25'	8'	20'
Two-Family Semi-Detached Dwelling	1,800 SF/unit	18'/unit	80%	25'	8'	20'
Apartment Building	N/A	N/A	80%	25'	8'	20'
Nonresidential	N/A	N/A	80%	25'	8'	20'

2. **Height Requirements.** The height of any principal or accessory building or structure shall not exceed 65 feet above the finished grade.

D. Additional Design and Use Standards.

1. More than One Use Permitted. Notwithstanding the provisions of § 14-2209 (Erection of More than One Principal Structure on a Lot) or any other provision of this Chapter to the contrary:
 - a. Mixed uses, including mixed occupancies, consisting of combinations of residential or nonresidential uses that are permitted in the Lake Resort Community shall be permitted to occupy the same building or lot, provided the applicable requirements of this § 14-2619 are met. Uses shall be permitted to be mixed both on the horizontal plane and vertical plane.
 - b. More than one (1) principal use or structure or accessory use or structure shall be permitted to occupy the same building or lot, provided the applicable requirements of this § 14-2619 are met.
2. Buffer Areas. Notwithstanding the provisions of § 14-2304.B(1) (Buffer Areas) or any other provision of this Chapter to the contrary:
 - a. Where a Lake Resort Community development site abuts a residential district, any required buffer area shall be a minimum of 25 feet for the entire length of the residential district area, except that no buffer area shall be required along the portion of the Lake Resort Community development site abutting along a tax parcel containing a lake.

- E. Conceptual Master Plan. An applicant of a Lake Resort Community shall submit to the Township for review a conceptual master plan of the overall Lake Resort Community development design. The conceptual master plan shall include the applicable data and information required in §13-401 of the Cornwall Borough Subdivision and Land Development Ordinance [Chapter 13] and demonstrate compliance with the applicable requirements of this § 14-2619 and this Chapter. The conceptual master plan shall not be binding on the applicant, but rather is intended to provide overall context for the design of the Lake Resort Community.

SECTION 8. All other provisions of the Cornwall Borough Code of Ordinances not amended or changed shall remain in full force and effect.

SECTION 9. 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 Borough Council that the remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 10. This Ordinance shall take effect and be in force from and after its enactment as provided by law.

DULY ORDAINED AND ENACTED this _____ day of _____, 2023, by the Council of the Borough of Cornwall, Lebanon County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF CORNWALL
Lebanon County, Pennsylvania

ATTEST: _____
Secretary

By: _____
(Vice) President
Borough Council

Examined and approved this _____ day of _____, 2023.

Mayor

