

COMMONWEALTH COURT OF PENNSYLVANIA

West Lampeter Solar 1, LLC v. West Lampeter Township Zoning
Hearing Board and West Lampeter Township

West Lampeter Solar · No. 76 C.D. 2025 · Decided January 15, 2026

SUMMARY

The Pennsylvania Commonwealth Court reviews the denial of a special exception for a proposed 25-acre agrivoltaics solar farm in West Lampeter Township's Agricultural District. The Court holds that the proposed solar-energy generation is not an agricultural use merely because sheep would graze beneath the panels, and therefore the project is subject to the zoning ordinance's five-acre limit on nonagricultural uses. The Court affirms the Lancaster County Court of Common Pleas and the Zoning Hearing Board.

CASE DETAILS

COURT	Commonwealth Court of Pennsylvania
WRITING FOR THE COURT	Mary Hannah Leavitt, Senior Judge; Renée Cohn Jubelirer, President Judge; Michael H. Wojcik, Judge
JURISDICTION	Commonwealth Court of Pennsylvania
DECIDED	January 15, 2026
DOCKET	76 C.D. 2025
DISPOSITION	affirmed
PROCEDURAL POSTURE	Applicant appealed the Lancaster County Court of Common Pleas order affirming the West Lampeter Township Zoning Hearing Board's denial of a special exception for a 25- to 30-acre agrivoltaics solar farm in the Township's Agricultural District.
STANDARD OF REVIEW	When the trial court takes no additional evidence, appellate review is limited to whether the zoning board abused its discretion or committed an error of law. A zoning board abuses its discretion when its findings are not supported by substantial evidence. Interpretation of a statute or ordinance presents a pure question of law subject to plenary review.
PRECEDENTIAL VALUE	published precedential opinion of the Commonwealth Court of Pennsylvania

PARTIES

West Lampeter Solar 1, LLC v. West Lampeter Township Zoning Hearing Board, West Lampeter Township

TOPICS

zoning statutory interpretation municipal law appellate procedure standard of review

PRACTICE AREAS

zoning municipal law real estate statutory interpretation appellate procedure

QUESTIONS PRESENTED

1. Whether an agrivoltaics project combining photovoltaic electricity generation and sheep grazing qualifies as an agricultural use under the Township's zoning ordinance.
2. Whether the proposed 25- to 30-acre photovoltaic facility violates the ordinance's five-acre limit on nonagricultural uses.
3. Whether the proposed project constitutes a dual use with two principal agricultural uses or instead has photovoltaic electricity generation as its principal use and sheep grazing as an accessory use.
4. Whether the zoning board properly interpreted undefined ordinance terms according to their plain and ordinary meaning while applying the least-restrictive-use principle.

HOLDINGS

1. Agrivoltaics, as proposed, is not an agricultural use because the solar panels generate electricity rather than advancing the production, harvesting, preparation, or marketing of agricultural products.
2. The proposed 25- to 30-acre photovoltaic facility is a nonagricultural use subject to the ordinance's five-acre maximum, and the application therefore fails to comply with an applicable zoning requirement.
3. The ordinance authorizes more than one use of land, but one use must be principal and the other accessory; here, photovoltaic electricity generation is the principal use and sheep grazing is subordinate and accessory.
4. Undefined zoning terms are given their plain and ordinary meaning in context; the least-restrictive-use principle does not require an undefined term to receive its broadest possible construction.

KEY QUOTATIONS

“The Zoning Board did not err in holding that Applicant’s solar farm would constitute the principal use, and the sheep grazing enterprise would constitute the accessory use.” (19)

“We hold that agrivoltaics is not an agricultural use, and Applicant did not establish that its proposed use complied with the applicable requirements of the Zoning Ordinance for a nonagricultural use.” (20)

FACTUAL BACKGROUND

West Lampeter Solar sought approval to develop a 25- to 30-acre photovoltaic solar facility on a 55-acre farm in West Lampeter Township's Agricultural District. The proposal included solar panels, sheep grazing beneath and between the panels, and vegetation maintained through rotational grazing. The solar panels would generate electricity for the community, while the sheep-grazing operation could be conducted independently and might cease during drought conditions. The Township's zoning ordinance did not define agrivoltaics or solar farms, limited nonagricultural uses in the Agricultural District to five acres, and required a special-exception applicant to comply with all applicable ordinance requirements.

PROCEDURAL HISTORY

West Lampeter Solar applied for a special exception to construct an agrivoltaics solar farm combining photovoltaic electricity generation with sheep grazing. The Zoning Hearing Board denied the application because the proposed facility was a nonagricultural use exceeding the ordinance's five-acre limit. The Lancaster County Court of Common Pleas affirmed without taking additional evidence, and the Commonwealth Court affirmed the trial court.

DISPOSITION

affirmed

CASES CITED

- Feick v. Berks County Board of Assessment Appeals, 720 A.2d 504 (Pa. Cmwlth. 1998)
- H.E. Rohrer, Inc. v. Zoning Hearing Board of Jackson Township, 808 A.2d 1014 (Pa. Cmwlth. 2002)
- Rickert v. Latimore Township, 960 A.2d 912 (Pa. Cmwlth. 2008)
- Valley View Civic Association v. Zoning Board of Adjustment, 462 A.2d 637 (Pa. 1983)
- Tri-County Landfill, Inc. v. Pine Township Zoning Hearing Board, 83 A.3d 488 (Pa. Cmwlth. 2014)
- Riverfront Development Group, LLC v. City of Harrisburg Zoning Hearing Board, 109 A.3d 358 (Pa. Cmwlth. 2015)
- Southdown, Inc. v. Jackson Township Zoning Hearing Board, 809 A.2d 1059 (Pa. Cmwlth. 2002)
- In re Holtz, 8 A.3d 374 (Pa. Cmwlth. 2010)
- Northampton Area School District v. Zoning Hearing Board of Township of Lehigh, 64 A.3d 1152 (Pa. Cmwlth. 2013)
- Malt Beverages Distributors Association v. Pennsylvania Liquor Control Board, 918 A.2d 171 (Pa. Cmwlth. 2007)
- Caln Nether Company, L.P. v. Board of Supervisors of Thornbury Township, 840 A.2d 484 (Pa. Cmwlth. 2004)
- Adams Outdoor Advertising, L.P. v. Zoning Hearing Board of Smithfield Township, 909 A.2d 469 (Pa. Cmwlth. 2006)
- Barasch v. Pennsylvania Public Utility Commission, 532 A.2d 325 (Pa. 1987)
- Risker v. Smith Township Zoning Hearing Board, 886 A.2d 727 (Pa. Cmwlth. 2005)

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