Township of East Donegal

Lancaster County, Pennsylvania

Zoning Ordinance

Ordinance 2001-1, February 27, 2001 As Amended Through Ordinance 2002-5, October 10, 2002

Penns Valley Publishers A Division of Fry Communications, Inc. Mechanicsburg, Pennsylvania feet back of the front main wall of the existing adjacent principal buildings.

5 Standards.

- A. Off-street parking regulations as contained in Part 7.
- B. Sign regulations as contained in Part 8.
- C. Performance regulations as contained in §608.

(Ord. 2001-1, 2/27/2001, §501)

§502. Agricultural District (A).

1. Intended Purposes.

- A. To preserve agricultural areas for agricultural use.
- B. To protect productive farmlands as a means of prolonging agricultural viability and the vital flavor of the Township, without financially overburdening local farmers.
- C. To provide effective agricultural zoning that severely limits speculative development in favor of continued farming.
- D. To allow for the use of agriculturally related businesses as a means of accommodating limited industry while aiding farmers, but subject to strict regulations that assure their compatibility within a rural context.
- E. To provide safeguards from intensive livestock operations to minimize adverse impacts and to ensure compliance with applicable management measures.
- F. To protect, conserve and preserve the natural resources of the Township.
- G. To protect sensitive and important natural features (e.g., floodplains, wetlands, prime farmlands, unique geologic features, steep slopes, woodlands, wildlife habitats, etc.) from indiscriminate development.
- H. To preserve and enhance the community character that makes it a unique, distinctive and identifiable place.
- I. To promote the preservation of the historic architecture within the Township.
- J. To discourage sizable developments in areas that are not served by public utilities.

2. Uses and Structures.

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A. Permitted Uses and Structures.

- (1) The tilling of the soil, the raising of crops, fruits and vegetables.
- (2) Nurseries, horticultural activities and forestry.
- (3) The storage and packing of crops, fruits and vegetables produced on the premises.
- (4) The hatching, raising, slaughtering, dressing and marketing on a commercial scale, chickens, turkeys or other fowl or poultry, hatched or raised on the premises.
- (5) The raising, grazing and slaughtering of horses, cattle, hogs, sheep or goats, including the supplementary feeding of such animals; provided that such raisin, grazing and slaughtering is not a part of, nor conducted in conjunction with a livestock slaughter house or animal by-products business.
- (6) The keeping and raising of hogs; provided, that there shall be no feeding of any market or house refuse, garbage or offal, other than that produced on the premises.
- (7) Milk processing and jugging operations for the retail sale of milk produced on the premises, however, 80% of the sales must be milk derived products.
- (8) Structures such as barns, silos, corncribs, poultry houses, pigsties, stables, kennels, implement sheds and similar structures, necessary for the proper operation of the agricultural activity.
- (9) Dwelling units.
- (10) Community utilities.
- (11) Customary accessory uses and structures incidental to the above permitted uses and structures.

B. Conditional Uses and Structures.

- (1) Municipal buildings, including fire houses and emergency services, subject to the provisions of §929.
- (2) Churches or similar places of worship, subject to the provisions of §914.
- (3) Public and private parks, subject to the provisions of §934.
- (4) Riding academies, subject to the provisions of §942.

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(5) Public and private schools, subject to the provisions of §935.

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- (6) Cemeteries and mortuaries, subject to the provisions of §912.
- (7) Country clubs, subject to the provisions of §917.
- (8) Golf courses, subject to the provisions of §922.
- (9) Storage, buying and selling of whole grains, subject to the provisions of §945.
- (10) Elder cottage, subject to the provisions of §919.
- (11) Rental storage within farm buildings, subject to the provisions of §939.
- (12) Bed and breakfast establishments, subject to the provisions of §906.
- (13) Commercial communication towers and antennas, subject to the provisions of §915.

C. Special Exception Uses and Structures.

- (1) Historical buildings, structures, and sites, other than those defined as historic resources, subject to the provisions of §1001.
- (2) Home occupations, subject to the provisions of §1002.
- (3) Mobilehomes for agricultural uses, subject to the provisions of §1003.
- (4) Farm occupations, subject to the provisions of §1006.

3. Lot, Yard and Height Requirements.

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- A. Number of uses and lots permitted:
 - (1) For every 25 acres of an existing contiguous lot or fraction thereof under single ownership as of January 8, 1975, there may be one use permitted in addition to the existing uses on said existing lot, or one new lot subdivided from said existing lot provided the remaining portion of the existing lot is in conformance with all lot, yard and height requirements of the zoning district, subject to subsection (3), below.
 - (2) On an existing lot under single ownership that has a lot area of 2 acres or more, but is less than 25 acres in lot area as of January 8, 1975, there may be only one use permitted in addition to the existing uses on said existing lot, or one new lot subdivided from said existing lot provided the remaining portion of the existing lot is in conformance with all lot, yard and height requirements of the zoning district, subject to subsection (3), below.

- (3) An additional two permitted uses or lots shall be permitted in addition to the number of uses or lots permitted by subsections (1) and (2) above, where said permitted uses or lots are developed totally on nontillable land, provided:
 - (a) Said uses and lots meet all other requirements of this Chapter.
 - (b) The application for development shall show the areal extent of nontillable land. Where the application indicates the areal extent of nontillable land as being different from that designated by the Soil Conservation Service, the applicant shall be required to submit a field survey of the area in question. Said field survey shall be sealed by a professional qualified to perform such a survey and shall have adequate detail to justify the area being designated as nontillable land.
- (4) At the time new lots are being subdivided in accordance with the provisions of this Section, the landowner of the existing contiguous lot under single ownership shall designate on the subdivision plan to be recorded for such new lots whether any rights to further subdivide the existing contiguous lot are to be transferred to any of the new lots created by the subdivision plan. If such a designation is not made on the subdivision plan to be recorded, then all rights to further subdivide the original existing contiguous lot shall go to the largest lot remaining from said original existing contiguous lot after the subdivision plan has been recorded. If two or more lots are of equal size and are the largest lots remaining from the original existing contiguous lot after the subdivision plan has been recorded, then the rights to further subdivide shall be distributed equally among such equally large lots provided that the number of lots permitted to be subdivided is not exceeded.
- (5) The maximum lot area of any residential lot subdivided from a tract of land shall be 2 acres; provided however, this maximum lot area may be increased as deemed necessary by the Township to accommodate required onlot disposal systems (OLDS) as stipulated by the Pennsylvania Department of Environmental Protection.
- (6) Lands within the Agricultural District (A) are located within an area where land is used for agricultural production. Owners, residents and other users of this property may be subjected to inconvenience, discomfort or the possibility of injury to property or persons arising from normal and accepted agricultural practices or operations used in a prudent manner, including, but not limited to, noise, odors, dust, the operation of machinery of any kind (including, without limitation, aircraft), the storage and disposal of manure, and the application of fertilizers, herbicides, pesticides or soil amendments. Owners, residents and other users of this

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property should be prepared to accept such inconveniences, discomfort and possibility of injury from normal agricultural operations and are hereby put on official notice that §4 of the Pennsylvania Act 133 of 1982, the Right to Farm Law, may bar them from obtaining a legal judgment against such normal agricultural practices or operations used in a prudent manner. [Ord. 2002-5]

(7) All final subdivision or land development plans for the creation of a new residential use or new residential lot within the Agricultural District (A) must contain, in conspicuous form, the following note:

"WARNING: The residential uses or lots proposed by this subdivision or land development plan are in an Agricultural Zoning District. The primary use of such district is agricultural, and residents must expect occurrences such as the smell of farm animals and animal waste they produce, insects, toxic chemical spraying, slow-moving agricultural machinery on local roads and other byproducts of agricultural business and activity."

A copy of the final subdivision or land development plan shall be issued to the purchaser of each lot within the subject subdivision or land development. [Ord. 2002-5]

B. Minimum requirements are as follows:

[Text continued on following page.]

	Lot Requirements				Yard Requirements	
	Min. Lot Area	Min. Lot Width at St. Line	Min. Lot Width at Setback Ln.	Max. Lot Coverage	Side Yard Width	Rear Yard Depth
Dwelling units	33,000 sf	50 ft	100 ft	20%	12 ft	25 ft
Municipal buildings	1 ac	50 ft	150 ft	50%	25 ft	25 ft
Churches; public and private schools*	2 acs	50 ft	200 ft	50%	50 ft `	50 ft 🆄
Riding academies, cemeteries and mortuaries, country clubs and golf courses	2 acs	50 ft	200 ft	20%	50 ft	50 ft
All other permitted uses	2 acs	100 ft	100 ft	20%	12 ft	50 ft

^{*}Or as required by the Pennsylvania Department of Education

C. Building Height.

- (1) Principal building 40 feet.
- (2) Accessory building 30 feet.

4. Setback Regulations.

- A. **Front Yard**. Front yard setback distances are determined by the street classification on which the lot abuts.
 - (1) Arterial streets 100 feet from the centerline of the existing or proposed street or 75 feet from the edge of the existing or proposed right-of-way, whichever is the greater.
 - (a) PA Route 441 150 feet from the centerline of the existing, or proposed street or 75 feet from the edge of the existing or proposed right-of-way, whichever is the greater.
 - (2) Major collector 80 feet from the centerline of the existing or proposed street or 55 feet from the edge of the existing or proposed right-of-way, whichever is the greater.
 - (3) Minor collector- 60 feet from the centerline of the existing

- or proposed street or 35 feet from the edge of the existing or proposed right-of-way, whichever is the greater.
- (4) Local access 60 feet from the centerline of the existing or proposed street or 35 feet from the edge of the existing or proposed right-of-way, whichever is the greater.
- B. A principal building may be permitted closer to the street than required above except for when there are existing principal buildings on the same side of the street and within 50 feet of the principal building to be erected. The principal building setback from the street shall be not less than the average of the setback of the existing principal buildings, provided, however, this formula shall not require the placing of a building more than 10 feet back of the front main wall of the existing adjacent principal buildings.

5. Standards.

- A. Off-street parking regulations as contained in Part 7.
- B. Sign regulations as contained in Part 8.
- C. Performance regulations as contained in §608.

(Ord. 2001-1, 2/27/2001, §502; as amended by Ord. 2002-5, 10/10/2002, §5)

§503. Low Density Residential District (R-1).

1. Intended Purpose. To provide for continued suburban style development in areas where such development has been prevalent in recent decades, and by encouraging residential growth and development of a low density character, provided public water and sewerage facilities are available. Emphasis for growth and development is placed upon accessibility to transportation, community facilities and public utilities.

2. Uses and Structures.

A. Permitted Uses and Structures.

- (1) Single-family detached dwellings.
- (2) Public parks.
- (3) Municipal buildings, including fire houses and emergency services.

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- (4) Churches or similar places of worship.
- (5) Public and private schools.
- (6) Community utilities.

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