

ARTICLE VI. AGRICULTURAL DISTRICT A (Amended by Ordinance 2021-04, dated June 28, 2021)

SECTION 601. PURPOSE; INTENT

1. The purpose of this district is to promote the continuation and preservation of agricultural activities in those areas most suitable for such activities. The intent of the Board of Commissioners in establishing this district is also to protect and stabilize the Township's viable agricultural economy by eliminating uses that are incompatible with farming, but permitting limited agricultural support businesses.
2. It is the specific intent of the Board of Commissioners to implement the provisions of Section 604(3) of the Pennsylvania Municipalities Planning Code, which requires that the provisions of this Ordinance shall be designed to preserve prime agriculture and farmland considering topography, soil type and classification and present use. In order to attain this goal, the regulations of this district are designed to protect and stabilize agriculture in areas of productive soils as an ongoing, viable, major component of the economy of the Township and Lancaster County, to with limited exceptions only those land uses and activities which are agricultural in nature, to encourage the preservation of the most productive farmland within the Township as a valuable resource which is lost and not reclaimable once it is developed for building and other nonagricultural purposes, and to prevent adverse effects resulting from the encroachment and mixing of residential and other incompatible development with agricultural uses. The agricultural zone is also intended to be a "sending area" for the transferable development rights as outlined in Article 26 of this Ordinance.
3. Consequently, residential uses are limited, and any future inhabitants in this district must be willing to accept the impacts associated with normal farming practices. These impacts include inconvenience, discomfort and the possibility of injury to health and property arising from normal and accepted agricultural practices and operations, including but not limited to noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, soil amendments, herbicides and pesticides. Owners, occupants and users of property within the Agricultural District should be prepared to accept such inconveniences, discomfort, and the possibility of injury from normal agricultural operations and are hereby put on official notice that Section 4 of Act 133 of 1982, known as the "Right to Farm Law," may bar them from obtaining a legal judgment against such normal agricultural operations.

SECTION 602. USES BY RIGHT

The following uses are permitted by right:

1. Agricultural uses and necessary buildings, including farm dwellings, structures related to the tilling of the land, the raising of farm products, the raising and keeping of horses, cattle, alpacas, llamas, emus and other livestock, the raising of poultry and poultry products, and the sale of farm products produced on -site and sold on a retail basis in accordance with Section 2503.

2. Single-family detached dwellings.
3. Horticultural and hydroponic uses, including temporary and permanent greenhouses related to the raising, propagating and selling of trees, shrubs, flowers and other vegetative material and the sale of farm products produced on-site and sold in accordance with Section 2503.
4. Forestry.
5. Public utility installations.
6. Telecommunications tower, attached.
7. Accessory buildings and uses customarily incidental to the above permitted uses including but not limited to the following:
 - (a) Manure storage for manure produced on-site, provided manure is stored in accordance with the Clean Streams Law, the practice presented by the PA Manure Management Manual, as amended, and Section 2101.4.
 - (b) Roadside stands for the sale of farm and horticultural products in accordance with Section 2503.1.
 - (c) Farm buildings associated with the farm.
 - (d) Solar energy systems associated with the farm in accordance with Section 2523.
 - (e) Beekeeping in accordance with Section 2114.
 - (f) Outdoor hydronic heaters in accordance with Section 2503.5.

SECTION 603. SPECIAL EXCEPTION USES

The following uses are permitted as a special exception when authorized by the Zoning Hearing Board. In granting any special exception, the Board may attach certain conditions to its approval which, in addition to the requirements listed within this ordinance, it feels are necessary requirements in order to preserve and protect the character of the district in which the proposed use would be located.

1. Conversion of a single-family detached farm dwelling.
2. Bed-and-breakfast establishments through the conversion of existing residential structures only.
3. Telecommunications tower.
4. Anaerobic and manure digesters and outdoor hydronic heaters as accessory uses.
5. Accessory dwelling units.

SECTION 604. CONDITIONAL USES

The following uses are permitted by conditional use when authorized by the Board of Commissioners:

1. Farm related occupations.
2. Elementary schools with classes only through grade eight, a total enrollment of no more than 50 children, and which serve the farming community.
3. Agricultural composting operations.
4. Agritourism enterprises.
5. Aquaculture enterprises.
6. Riding schools and stables.
7. Large animal veterinary office.
8. Wind energy systems as an accessory use on the farm.

SECTION 605. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY RIGHT

1. Maximum building height: 35 feet; however, farm buildings and farm accessory buildings shall not exceed 85 feet in height measured from grade. All structures are subject to Section 2208 and 2214 of this Ordinance.
2. Minimum lot requirements.
 - A. Agricultural or forestry uses. Such uses shall comply with the requirements of Section 2503:
 - (1) Minimum lot area: 10 acres.
 - (2) Minimum lot width: none.
 - (3) Minimum lot depth: none.
 - (4) Minimum yard dimensions:
 - [a] Front yard:
 - [i] Farm dwelling: 35 feet. (See Section 2213)
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.
 - [iii] Other permanent structures: 75 feet.
 - [b] Side yard:
 - [i] Farm dwelling: each side: 15 feet.
 - [ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.

[iii] Other permanent structures: 75 feet.

[c] Rear yard:

[i] Farm dwelling: 35 feet.

[ii] Agribusiness structures, feedlots and manure storage: 100 feet from the property line and 200 feet from existing dwellings on adjacent property.

[iii] Other permanent structures: 75 feet.

(5) Minimum open area: 75%.

(6) Erosion control filter strips. All areas subject to the cultivation of farm crops or the pasturing of farm animals shall contain erosion control filter strips. Such strips shall be a minimum of six feet wide, as measured from the bank of any drainageway (during nonflooding) and/or any street right-of-way line. Erosion control filter strips shall be maintained with an all-season ground cover approved by the Board of Commissioners (e.g., grass, ivy, vetch, pachysandra, etc.). All agricultural activities that could threaten such ground cover shall be prohibited from such areas to prevent erosion.

(7) Sale of farm and/or garden products on a retail basis. Such activities shall comply with the requirements of Section 2503.1.

B. Single-family detached dwellings. The requirements for single-family detached dwellings shall be those set forth in Section 605.3.

C. Horticultural or hydroponic uses: Horticultural or hydroponic shall comply with the requirements of Section 2510.

(1) Minimum lot area: 10 acres.

(2) Minimum lot width: none.

(3) Minimum lot depth: none.

(4) Minimum yard dimensions:

[a] Front yard:

[i] Dwelling: 35 feet. (See Section 2213)

[ii] Other permanent structures: 75 feet from all property lines.

[b] Side yard:

[i] Dwelling, each side: 15 feet.

[ii] Other permanent structures: 75 feet.

[c] Rear yard:

[i] Dwelling: 35 feet.

[ii] Other permanent structures: 75 feet.

(5) Minimum open area: 75%.

D. Public utility installations:

(1) Minimum lot area: none.

(2) Minimum lot width: none.

(3) Minimum lot depth: none.

(4) Minimum yard dimensions:

[a] Front yard: 25 feet. (See Section 2213).

[b] Side yard, each side: 15 feet.

[c] Rear yard: 15 feet.

(5) Minimum open area: none.

(6) Landscaping and screening. (See Section 2512 and Section 2513)

E. Telecommunications tower, attached. Such uses shall comply with the requirements of Section 2516.

3. Limitations on subdivision of land. In order to preserve agricultural tracts, it is the express intent of this subsection that the creation of lots for residential purposes shall be limited. In addition, it is the express intent of this subsection that the maximum size of residential lots 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 Commissioners 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. For each tract of contiguous land in single ownership that is two (2) acres or more but less than forty (40) acres as of the effective date of this ordinance, there may be only one lot sold or utilized for a single-family dwelling or conversion to a two-unit dwelling.

B. For each additional twenty (20) acres of contiguous land in single ownership as of the effective date of this ordinance, there may be one lot sold or utilized for a single-family detached or attached dwelling.

C. A tabular example of the limitation on the subdivision of land set forth in Subsection 3(A) and (B) above is as follows:

Lot Area at Least	Acres Less Than	Number of Lots which May be Subdivided
2	40	1
40	60	2
60	80	3
80	100	4
100	120	5

120	140	6
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- D. The provisions of this subsection shall apply to all parcels of land legally existing on the effective date of enactment of Ordinance 1990-25, dated December 10, 1990. Regardless of size, no tract of land subsequently subdivided from its parent tract shall qualify for additional single-family detached dwellings or lots pursuant to this section. Similarly, any subsequent owner of any parcel of land legally existing as of December 10, 1990, shall be bound by the actions of any previous subdivisions for purposes of additional single-family detached or attached dwellings and the number of lots, if any, remaining from the original number permitted in this section.
- E. Any land development, the purpose of which is to permit the erection of a permanent single-family detached dwelling, conversion of a farm house into a two-unit dwelling or the creation of an accessory dwelling unit on a tract which has been previously improved with a dwelling which also will remain upon the tract, shall be considered a subdivision for the purposes of this subsection. It is the purpose and intent of this subsection 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.
- F. Any subdivision or land development plan hereafter filed for a tract of land in the Agricultural District shall specify which lot or lots shall carry with them the right to erect or place thereon any unused quota of single-family detached or attached dwellings as determined by the provisions of this subsection.
- G. Single-family detached dwellings permitted by Section 605.3 of this ordinance shall be grouped so that no more than one additional access to an existing public road will result. Any subdivision or land development plan hereafter filed for a tract of land in the Agricultural District shall include a sketch plan, in accordance with the Subdivision and Land Development Ordinance, indicating all future development permitted by 605.3 of this ordinance.
- H. In the event a tract of land which was not classified as part of the Agricultural District on the effective date of this ordinance is hereafter classified as part of the Agricultural District, the size and ownership of such tract of land shall be determined as of the effective date of the change in the zoning classification.
- I. In those areas of the district where public water and public sewer are not provided or where only public water or public sewer exists, lots which are permitted as stated in Section 605.3 are subject to the following:
 - (1) Minimum lot area: 43,560 square feet.
 - (2) Maximum lot area: 65,340 square feet.
 - (3) Minimum lot width:

- [a] At street line: 100 feet.
- [b] At front yard setback line: 150 feet.
- (4) Minimum lot depth: 200 feet.
- (5) Minimum yard dimensions:
 - [a] Front yard: 35 feet. (See Section 2213)
 - [b] Side yard, each side: 15 feet.
 - [c] Rear yard: 35 feet.
- (6) Minimum open area: 80%.

J. In those areas of the district where both public water and public sewer are provided, lots which are permitted as stated in Section 605.3 are subject to the following:

- (1) Minimum lot area: 20,000 square feet.
- (2) Maximum lot area: 43,560 square feet.
- (3) Minimum lot width:
 - [a] At street line: 60 feet.
 - [b] At front yard setback line: 100 feet.
- (4) Minimum lot depth: 150 feet.
- (5) Minimum yard dimensions:
 - [a] Front yard: 35 feet. (See Section 2213).
 - [b] Side yard, each side: 15 feet.
 - [c] Rear yard: 35 feet.
- (6) Minimum open area: 80%.

K. No subdivision shall be permitted which shall increase the lot used for residential purposes in excess of the maximum lot size as set forth in Subsection 3(I) and (J) above. Any lot which is two or fewer acres in size shall be presumed to be used for residential purposes, and the size of such lot shall not be increased.

L. A subdivision, the sole purpose of which is to transfer land to increase the size of a tract being used for agricultural purposes, where both the tract from which the land is taken and the tract to which the land is added will be 25 acres or greater after such subdivision, shall not be included when computing the permissible number of lots to be subdivided from a tract as set forth in Subsection 3(A) and (B) above. However, any lot add-on, regardless of size, shall affect the allocation of transferable development rights for purposes of Article XXVI.

M. One (1) transferable development right is required for any subdivision of land with the exception defined in Section 605.3.L., for the construction of a single family

detached or attached dwelling, conversion of a farm house into a two-unit dwelling or the creation of an accessory dwelling unit.

- N. A subdivision to create a lot which will be transferred to the Township, a municipal authority created by the Township, or another governmental body shall not be included when computing the permissible number of lots to be subdivided from a tract as set forth in Subsection 3(A) and 3(B) and (2) above.

SECTION 606. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY SPECIAL EXCEPTION

- 1. Maximum building height: 35 feet; however, all structures are subject to Section 2208 and 2214 of this Ordinance.
- 2. Conversion of a single-family detached farm dwelling which existed at the date of enactment of Ordinance 1990-25, dated December 10, 1990:
 - A. Conversion into a two-family dwelling.
 - B. Lot Area: The lot shall contain a minimum of 20,000 square feet for each of the dwelling units when public sewer and water is provided. The minimum lot size shall be increased if public sewer or public water is not provided and subject to PADEP approval.
 - C. Parking: Adequate off-street parking shall be provided in accordance with Article XX.
 - D. An approved method of sewage disposal shall be installed or if one exists verification that the system is functioning and adequate for the intended flows.
 - E. There shall be no extension of the building other than as may be required for access or for safety.
- 3. Bed-and-breakfast establishments. Such establishments shall comply with the requirements of Section 2505.
- 4. Telecommunications tower. Such uses shall comply with the requirements of Section 2516.
- 5. Anaerobic and manure digesters as an accessory use. Such uses shall comply with the requirements of Section 2503.4.
- 6. Accessory dwelling units. Such uses shall comply with the requirements of Section 2515.

SECTION 607. AREA AND BULK REGULATIONS FOR PRINCIPAL BUILDINGS AND USES PERMITTED BY CONDITION

- 1. Farm related occupation. Such establishments shall comply with the requirements of Section 2503.2.

2. Elementary schools with classes only through grade eight, a total enrollment of no more than 50 children, and which serve the farming community.
 - A. Maximum building height: 20 feet; however, all structures are subject to Section 2208 and Section 2214 of this Ordinance.
 - B. Lot area:
 - (1) Minimum: two acres.
 - (2) Maximum: five acres.
 - C. Maximum building size: 5,000 gross floor area.
 - D. Minimum lot width:
 - (1) At street line: 100 feet.
 - (2) At front yard setback line: 150 feet.
 - E. Minimum lot depth: 200 feet.
 - F. Minimum yard dimensions:
 - (1) Front yard: 40 feet. (See Section 2213)
 - (2) Side yard, each side: 25 feet.
 - (3) Rear yard: 50 feet.
 - G. Minimum open area: 80%.
3. Agricultural composting operations. Such uses shall comply with the requirements of Section 2521.
4. Agritourism enterprises. Such uses shall comply with the requirements of Section 2503.3.
5. Aquaculture enterprises. Such uses shall comply with the requirements of Section 2503.7.
6. Stables for boarding horses, riding schools, and large animal veterinary office:
 - A. Minimum lot width:
 - [a] At street line: 100 feet.
 - [b] At front yard setback line: 100 feet.
 - B. Minimum lot depth: 200 feet.
 - C. Minimum yard dimensions:
 - [a] Front yard: 35 feet. (See Section 2213)
 - [b] Side yard, each side: 50 feet.
 - [c] Rear yard: 50 feet.
 - D. Minimum open area: 75%.

- E. Landscaping and screening. (See Section 2512 and Section 2513)
- F. Such uses shall comply with the requirements of Section 2503.6.

7. Wind energy systems as an accessory use. Such uses shall comply with the requirements of Section 2522.

SECTION 608. SUPPLEMENTAL REGULATIONS

The uses in this district are also subject to applicable regulations contained in the following articles:

1. Article XVIII, Signs.
2. Article XX, Off-Street Parking and Loading.
3. Article XXI, Accessory Uses.
4. Article XXII, General Regulations.
5. Article XXV, Performance Standards.