

TOWNSHIP OF EAST HEMPFIELD

Lancaster County, Pennsylvania

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF EAST HEMPFIELD BY MAKING CERTAIN AMENDMENTS TO THE ZONING ORDINANCE INVOLVING THE DEFINITIONS AND PERMITTED ZONES FOR HORSE BARN FOR TRANSPORTATION

WHEREAS, the Board of Supervisors of East Hempfield Township has enacted the East Hempfield Township Zoning Ordinance of 2014, as set forth at Chapter 270 of the Code of the Township of East Hempfield (the “Code”); and

WHEREAS, the Board of Supervisors desires to make certain amendments to the Zoning Ordinance provisions of the Code;

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of East Hempfield, Lancaster County, Pennsylvania, as follows:

1. Section 270-2.2 of the Code, involving definitions, is amended to include the following, with material which is underlined representing new material and material with strikeouts representing deleted material:

§270-2.2. Definitions:

Add definition:

HORSE BARN FOR TRANSPORTATION

A residential accessory use, consisting of an accessory building used for the boarding of a horse or horses, which are used by the landowner or resident of the property as the primary means of transportation.

2. Section 270-3.2 of the Code, dealing with uses permitted within the Agriculture Zone is amended to add the following uses:

§270-3.2 B. (5), Add use to the Agriculture Zone:

Add “Horse Barns for Transportation”.

3. Section 270-3.5 of the Code, dealing with uses permitted within the Low Density Residential Zone is amended to add the following uses:

§270-3.5 B. (5), Add use to the Low Density Residential Zone:

Add “Horse Barns for Transportation”.

4. Section 270-3.6 of the Code, dealing with uses permitted within the Medium Density Residential Zone is amended to add the following uses:

§ 270-3.6 B. (5), Add use to the Medium Density Residential Zone:

Add "Horse Barns for Transportation".

5. Section 270-3.7 of the Code, dealing with uses permitted within the Village Residential Zone is amended to add the following uses:

§ 270-3.7 B. (5), Add use to the Village Residential Zone:

Add "Horse Barns for Transportation".

6. Section 270-3.8 of the Code, dealing with uses permitted within the Village Center Zone is amended to add the following uses:

§270-3.8 B. (5), Add use to the Village Center Zone:

Add "Horse Barn for Transportation".

7. Section 270-5.2 of the Code, dealing with additional use regulations for specific uses is amended as follows with underlined material being added.

§ 270-5.2 Horse Barns for Transportation

- (1) Horse barns for transportation, as defined in Section 270-2.2 Definitions of this Zoning Ordinance, shall be permitted as an accessory, residential use within the A, RL, RM, and VR Zoning Districts
 - (a) Area and Setback Requirements: The following provisions shall apply to horse barns for transportation:
 - (i) The permitted principal use and the horse barn for transportation use shall be located on parcels with a minimum lot area of 20,000 square feet.
 - (ii) The barn housing horses shall not be located in a front yard and shall be located at least twenty (20) feet from all property lines and street right-of-way lines.
 - (iii) Grazing areas for the horse(s) shall not be located in a front yard and shall be located at least ten (10) feet from all property lines and street right-of-way lines.
 - (b) General Requirement: The following general provisions shall apply to a horse barn for transportation:

- (i) The maximum number of horses permanently housed on the property shall not exceed two (2) horses.
- (ii) Horses shall be kept within a fully enclosed detached building. This building may also be used for the temporary sheltering of additional horses belonging to visitors.
- (iii) Grazing areas shall be enclosed by a fence that meets the requirements for the respective zoning district.
- (iv) The property owner shall exercise suitable control over the horse(s) and shall not allow a nuisance condition to be created related to excessive noise, dirt, or odor.
- (v) The horse barn shall comply with all local, state, and federal laws regarding manure management, nutrient management, fertilizer applications, water supply, stormwater management erosion and sedimentations control, and sanitary sewage disposal.
- (vi) The property owner shall implement a manure management and nutrient management plan consistent with the policies and practices of the Lancaster County Conservation District and other applicable agencies with jurisdiction, and property owner shall provide the Township with documentations showing implementation and compliance with the manure management plan as may be requested from time to time.

8. 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 the Board of Supervisors that the remainder of the Ordinance shall be and shall remain in full force and effect.
9. This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of the Township of East Hempfield as provided by law.

DULY ORDAINED AND ENACTED this ____day of July 2019, by the Board of Supervisors of the Township of East Hempfield, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF EAST HEMPFIELD
Lancaster County, Pennsylvania

Attest: _____
(Assistant) Secretary

By: _____
(Vice) Chairman
Board of Supervisors

[TOWNSHIP SEAL]

I, Cindy A. Schweitzer, Secretary of the Board of Supervisors of East Hempfield Township, Lancaster County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted at a legally constituted meeting of the Board of Supervisors of East Hempfield Township held on July ____, 2019, at which meeting a quorum was present and voted in favor thereof.

Cindy A. Schweitzer, Secretary

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