

LEGAL NOTICE

Notice is hereby given that the Board of Supervisors of Upper Leacock Township, Lancaster County, Pennsylvania, at its regular public meeting on Thursday, September 17, 2020 at the Upper Leacock Township Municipal Building, 36 Hillcrest Avenue, Leola, PA 17540, shall consider after a public hearing scheduled for 6:30 p.m., and if appropriate, shall enact an Ordinance amending the Upper Leacock Township Zoning Ordinance of 2015.

The proposed Ordinance would amend Article 2, Section 201.B.9 relating to certain agricultural activities as an accessory use applicable to residential uses within the Low Density Residential Zone (R-1).

Section 201.B.9 will add a new Subsection B which will provide certain agricultural activities as an accessory use. Residential lots containing 10,000 square feet but less than 20,000 square feet will permit fowl or poultry in a properly located aviary, provided the total number does not exceed five animals. All other types of farm animals, with the exception of carriage and buggy horses, shall not be permitted.

For residential lots containing 20,000 square feet or greater but less than ten acres, fowl or poultry will be permitted in a properly located aviary but not to exceed ten in number. All other farm animals including roosters shall not be permitted with the exception of carriage and buggy horses.

Any permitted agricultural accessory activity must be securely contained or fenced. Such activities shall be for the use and/or consumption of the residents on which the agricultural accessory use is located. Agricultural activities as an accessory use will only be permitted on a lot containing a single-family dwelling. The remaining uses set forth in the R-1 Zoning District shall be re-lettered accordingly.

No farm animals of any kind shall be permitted on a residential lot containing less than 10,000 square feet of lot area.

A copy of the proposed Ordinance is available for inspection at this newspaper office, on the Township website or the Upper Leacock Township office, weekdays 8:00 A.M. to 4:30 P.M. The proposed Ordinance is available for the cost of reproduction at the Township Municipal Building during the above hours. A copy shall also be filed with the Lancaster County Law Library.

APPEL & YOST ^{LLP}
Township Solicitor

**UPPER LEACOCK TOWNSHIP
LANCASTER COUNTY, PENNSYLVANIA
ORDINANCE NO. 2020- 04**

**AN ORDINANCE AMENDING THE UPPER LEACOCK
TOWNSHIP ZONING ORDINANCE BY REVISING
SECTION 201.B.9 - AGRICULTURAL ACTIVITIES AS AN
ACCESSORY USE IN R-1 ZONING DISTRICT**

BE IT HEREBY ENACTED AND ORDAINED, and it is enacted and ordained by the authority of the Board of Supervisors of Upper Leacock Township, that the Upper Leacock Township Zoning Ordinance is hereby amended as follows:

WHEREAS, Upper Leacock enacted its official Zoning Ordinance on September 22, 2015; and

WHEREAS, the Board of Supervisors desires to revise the ordinance to allow for certain agricultural activities as an accessory use in the R-1 zoning district; and

WHEREAS, the Board of Supervisors desire to permit certain agricultural activities as accessory uses to a primary residential use within the R-1 zoning district;

NOW, THEREFORE, be it ordained and enacted that the following amendments be made to the Zoning Ordinance of Upper Leacock Township, Lancaster County, Pennsylvania:

1. **Section 201.B.9 is amended as follows:**

9. **Accessory uses customarily incidental to the above permitted uses**, including, but not limited to, the following:

A. **Accessory residential greenhouses** subject to the requirements of Section 402 of this Ordinance.

B. **Agricultural Activities as an Accessory Use:** Residential lots of less than ten (10) acres located within the R-1 zoning district may engage in the agricultural activities/uses described below and in compliance with the following provisions:

1. No farm animals of any kind shall be permitted on a residential lot containing less than 10,000 square feet of lot area.

2. For residential lots containing 10,000 square feet and less than 20,000 square feet of lot area, the following provisions shall apply:
 - a. Fowl or poultry including chickens, ducks, pheasants and quail may be permitted provided that the total number does not exceed five (5) animals.
 - b. All other farm animals including roosters shall not be permitted, with the exception of carriage and buggy horses as permitted by Section **201.B.9.K.**
 - c. The fowl or poultry shall be contained in an aviary located a minimum of ten (10) feet from any property line. No aviary shall be located in the front yard.
3. For residential lots containing 20,000 square feet or greater of lot area, the following provisions shall apply:
 - a. Fowl or poultry including chickens, ducks, pheasants and quail may be permitted providing that the total number does not exceed ten (10) animals.
 - b. All other farm animals including roosters shall not be permitted, with the exception of carriage and buggy horses as permitted by Section **201.B.9.K.**
 - c. The fowl or poultry shall be contained in an aviary located a minimum of ten (10) feet from any property line and a minimum of fifty (50) feet from a street right-of-way line. An aviary located within the front yard shall be located no closer to the right-of-way line than the dwellings located on the adjoining properties.
4. All permitted agricultural accessory activities and uses shall be securely contained or fenced.
5. Agricultural activities as an accessory use shall be for the use and/or consumption of the resident on which the agricultural accessory use is located.
6. Agricultural activities as an accessory use shall only be permitted on a lot containing a single-family dwelling.

- C. **Alternative energy systems**, subject to the requirements of Section 405 of this Ordinance.
- D. **Domestic composts**, subject to the requirements of Section 426 of this Ordinance.
- E. **Domestic pets**, as defined herein.
- F. **Family day-care facilities**, as defined herein subject to the requirements of Section 431 of this Ordinance.
- G. **Fences and walls**, subject to the requirements of Section 434 of this Ordinance.
- H. **Garage, yard and/or moving sales**, subject to the requirements of Section 438 of this Ordinance.
- I. **Garages** for personal vehicles and property.
- J. **Gardening and raising of plants for personal use**.
- K. **Keeping of carriage and buggy horses** or other animals maintained for the sole purpose of providing the primary means of transportation as an accessory use to a residential dwelling, subject to the requirements of Section 447 of this Ordinance.
- L. **Man-made lakes, dams, ponds, and impoundments**, subject to the requirements of Section 448 of this Ordinance.
- M. **Manure storage facilities**, as an accessory use to an agricultural or horticultural use if contained upon a farm, subject to the requirements of Section 450 of this Ordinance.
- N. **No-impact home-based business**, as defined herein.
- O. **Play structures**, as defined herein, provided such structures are confined to the side or rear yard and are located no closer than five feet (5') from the closest side and or rear lot line.
- P. **Roadside stands** for the seasonal sale of agricultural products as an accessory use on a farm subject to the requirements of Section 472 of this Ordinance.
- Q. **Residential swimming pools**, subject to the requirements of Section 471 of this Ordinance.

- R. **Routine repair and servicing of personal motor vehicles**, subject to the requirements of Section 473 of this Ordinance.
- S. **Ornamental ponds and wading pools**, subject to the requirements of Section 461 of this Ordinance.
- T. **Outdoor residential athletic courts** (e.g., basketball, bocci, handball, tennis, volleyball, etc.) subject to the requirements of Section 465 of this Ordinance.
- U. **Parking and/or storage of recreational vehicles, travel trailers, boats, and personal cargo trailers**, subject to the requirements of Section 316.W. of this Ordinance.
- V. **Satellite dish antennas**, subject to the requirements of Section 476 of this Ordinance.
- W. **Sheds**, provided that no more than one (1) such shed shall be permitted for lots with up to 20,000 square feet of a principal residence. For lots with greater than 20,000 square feet, one (1) additional shed shall be permitted per each 20,000 square feet of lot area, or fraction thereof, in excess of the initial 20,000 square feet.
- X. **Signs**, as defined herein, subject to the requirements of Section 323 of this Ordinance.

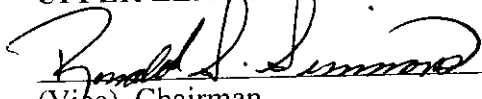
2. Any Ordinance or any part thereof inconsistent herewith, and any amendments thereof, are hereby expressly repealed.

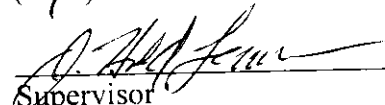
3. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

4. This Ordinance shall become effective as provided by law.

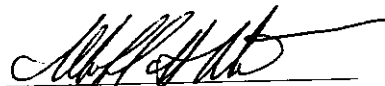
ENACTED AND ORDAINED this 17th day of September, 2020.

**BOARD OF SUPERVISORS
UPPER LEACOCK TOWNSHIP**

 (SEAL)
(Vice) Chairman

 (SEAL)
Supervisor

Supervisor (SEAL)

ATTEST: 
(Asst.) Secretary

I, Michael H. Morris, Secretary of the Board of Supervisors of Upper Leacock 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 Upper Leacock Township held on September 17, 2020, at which meeting a quorum was present and voted in favor thereof.


Michael H. Morris, Secretary