

PALMYRA TOWNSHIP

PIKE COUNTY, PENNSYLVANIA

ORDINANCE NO. 121-2014

AN ORDINANCE AMENDING THE PALMYRA TOWNSHIP ZONING ORDINANCE OF AUGUST 20, 2013, AS AMENDED, TO:

- ☞ ITEM 1 - ADD AND AMEND DEFINITIONS IN §3.300,
- ☞ ITEM 2 - AMEND THE SCHEDULE OF USES TO PROVIDE FOR ANIMAL HUSBANDRY AND CROP PRODUCTION,
- ☞ ITEM 3 - ADD §5.311 TO REFERENCE §8.200,
- ☞ ITEM 4 - AMEND PARKING REQUIREMENTS FOR MULTI-FAMILY DWELLINGS,
- ☞ ITEM 5 - AMEND §8.200 AGRICULTURAL USES - CROP PRODUCTION AND ANIMAL HUSBANDRY,
- ☞ ITEM 6 - AMEND §5.102 PROJECTIONS INTO YARDS,
- ☞ ITEM 7 - AMEND §5.405 OFF-PREMISES SIGNS, AND
- ☞ ITEM 8 - CHANGE TAX MAP NO. 022.03-01-01 FROM S - SPECIAL PURPOSE TO HC - HIGHWAY COMMERCIAL.

BE IT HEREBY ORDAINED AND ENACTED by the Board of Supervisors of Palmyra Township, Pike County, Pennsylvania, by authority of and pursuant to the provisions of Act of 1968, P.L. 805, No. 247 of the General Assembly of the Commonwealth of Pennsylvania, approved July 31, 1968, as reenacted and amended, known and cited as the *Pennsylvania Municipalities Planning Code*, as follows:

☞ **ITEM 1 - Add and amend definitions in §3.300 as follows:**

A. Add:

Animal Husbandry, Commercial: The raising and keeping of livestock, small animals and fowl and/or fur bearing animals with the intent of producing capital gain or profit or with the intent of selling any livestock and/or poultry products.

Animal Husbandry, Home Use: The raising and keeping of livestock and/or small animals and fowl for personal satisfaction or consumption and with no intent of producing capital gain or profit. This shall not preclude the incidental sale of livestock and/or small animal or fowl products produced within the limits of the home use provisions of §8.202.B.

Fur Bearing Animal: Animals raised or trapped in the wild for their pelts such as mink, sable, and ermine.

Small Animals and Fowl: Rabbits, insects (excluding honey bees), chickens, turkeys, ducks, geese, pheasants, pigeons and any other similar animal.

B. Amend to read as follows:

Livestock: Any animals raised or kept for home use or profit, including, but not limited to cattle, bison, sheep, goats, llamas, swine, and fur bearing animals.

Livestock Operation: See *animal husbandry*.

ITEM 2 - Make the following changes to the Schedule of Uses established by 4.401:

A. In the R-Residential District, MR-Mixed Residential District, S-Special Purpose District, MP-Mobile Home Park District, LC-Local Commercial District, CC- Community Commercial District and HC-Highway Commercial District:

1. Add *crop production* as principal permitted use.
2. Add *animal husbandry, home use* as an accessory use.

B. In the S-Special Purpose District:

1. Add *animal husbandry, commercial* as a principal permitted use.
2. Delete *agricultural uses* from the principal permitted uses.

ITEM 3 - Add §5.311 (pertaining to accessory uses) as follows:

5.311 Animal Husbandry, Home Use
See §8.200

ITEM 4 - Amend Subsection A (Dwellings) in the Parking Spaces Table in §5.505 to read as follows:

USE	PARKING SPACES REQUIRED
A. Dwellings	
1. Single-family	2 per dwelling unit
2. Multi-family	2 per dwelling unit located with the unit plus 0.25 per dwelling unit for visitors and other spillover parking. No dwelling unit shall be more than 250 feet from a spillover parking area. No spillover parking area shall have less than 5 spaces.

ITEM 5 - Amend §8.200 to read as follows:

8.200 AGRICULTURAL USES – CROP PRODUCTION AND ANIMAL HUSBANDRY

In addition to the other applicable standards of this Zoning Ordinance, agricultural uses shall be subject to the following requirements:

8.201 Crop Production

Crop production shall be permitted in any district on any size of parcel of land.

8.202 Animal Husbandry

A. Animal Husbandry, Commercial - *Animal husbandry, commercial* shall only be permitted in the S District and shall comply with the following:

1. A minimum parcel size of five (5) acres shall be required

2. The minimum front, side and rear setback distances shall be two hundred (200) feet for any pens (but not pasture areas), stables, barns, coops or other animal housing structures and for the indoor or outside storage of manure, by-products or waste.
- B. Animal Husbandry, Home Use - *Animal husbandry, home use* shall be permitted in all districts and shall comply with the following:
1. The following minimum parcel sizes shall be required (including the dwelling unit):
 - a. Livestock - five (5) acres.
 - b. Small animals and fowl - no minimum parcel size.
 2. The following minimum front, side and rear setback distances shall be maintained for any pens (but not pasture areas), stables, barns, coops or other animal housing structures and for the indoor or outside storage of manure, by-products or waste:
 - a. Swine - two hundred (200) feet.
 - b. Other livestock - one hundred (100) feet.
 - c. Small animals and fowl twenty-five (25) feet.
 3. The maximum number of animals shall not exceed the following:
 - a. Cattle, bison, swine and similar animals - one (1) per acre with a maximum total of three (3).
 - b. Sheep, goats, llamas, alpacas, ostriches, emus, and similar animals - four (4) per acre with a maximum total of twelve (12).
 - c. Small animals and fowl - ten (10) per acre with a maximum total of sixty (60).
 4. The raising of fur bearing animal(s) shall be prohibited.
 5. All animals shall be confined to the property of the owner by fencing, housing in a pen or building or other effective means.
 6. Notwithstanding compliance with this §8.202B, the keeping of any livestock or small animals and fowl which constitutes a public nuisance as regulated by the Township Nuisance Ordinance (Ordinance NO. 96-2005, as amended) shall be prohibited.

8.203 State Protected Agricultural Operations

Nothing in this §8.200 is intended to preclude the rights and protections of bona fide agricultural operations afforded by the Pennsylvania Right To Farm Law, as amended; the Pennsylvania Agricultural Securities Area Law, as amended; and other applicable state statutes. Such rights and projections, in terms of limiting the application of the standards in this Zoning Law, shall be afforded to such uses of land which meet the minimum definition of agricultural use as established by the applicable state statute.

ITEM 6 - Amend §5.102 to read as follows:**5.102 Projections Into Yards**

- A. Building or Structure - No part of any building or structure shall project into any required yard except steps, bay windows, fire places, chimneys and roof overhangs (eaves) may project into a front, side, or rear yard not more than two (2) feet.
- B. PPL Project Line - Stairways not wider than four (4) feet may extend up to the PPL Project Line.
- C. Handicapped Access - When all other reasonable alternatives have been considered, as determined by the Zoning Officer, an unroofed and open structure, including a ramp and associated landings or a chairlift, that allows a person with a physical disability to access a single-family or two-family-family dwelling shall not be subject to setback or lot coverage limitations provided the size of the structure does not exceed the minimum design specifications required by the PA Uniform Construction Code or other applicable law.
- D. Sewage Disposal Systems - Sewage disposal systems shall comply with §7.702.

ITEM 7 - Amend §5.405 to read as follows:**5.405 Off-premises Signs**

- A. Intent - The intent of this section is to permit the erection of off-premises signs in the HC District, the primary commercial zoning district in the Township, in accord with reasonable standards that will minimize sign clutter, minimize distraction of drivers, and protect the small town/tourism character of the HC District yet allow a reasonable opportunity for the use of such signs.
- B. Standards - An off-premises sign or billboard shall only be permitted in the HC Zoning District in accord with the following standards:
 - 1. Number - Not more than one (1) off-premises sign may be erected, constructed, or maintained on any premises which does not contain any other on-premises or off-premises sign.
 - 2. Sign Face and Area - An off-premises sign shall have only one (1) exposed face, and shall not exceed one hundred fifty (150) square feet in surface area if located in the HC District fronting on State Route 6 and three hundred (300) square feet in surface area in other HC Districts.
 - 3. Spacing - An off-premises sign shall not be closer than five hundred (500) feet to another off-premises sign.
 - 4. Spacing at Intersections - An off-premises sign or billboard shall not be located within fifty (50) feet of any street intersection.
 - 5. Setbacks - The off-premises sign shall be located in accord with the yard setbacks for principal structures in the HC Zoning District and shall not be less than twenty (20) feet from any principal structure and ten (10) feet from any accessory structure.
 - 6. Height - An off-premises sign or billboard shall not project higher than twenty-two (22) feet, as measured from the base of the sign or grade of the nearest adjacent roadway, whichever is lower.

7. Site Plan - An application for an off-premises sign or billboard shall be accompanied by a site plan and contain all of the applicable requirements as required by this Ordinance.

ITEM 8 - Change the zoning district designation of the following parcel from S - Special Purpose to HC - Highway Commercial:

Owner: Lomonaco, John and Lee Ann
Tax Map No: 022.03-01-01
Location: 2592 Route 6, Hawley, PA
Size: 0.58 acres.

SEVERABILITY

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole, or any parts thereof.

REPEALER

All other Ordinances or sections of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

ADOPTION

Be it Hereby Enacted and Ordained this 2nd Day of December, 2014, by the Board of Supervisors of Palmyra Township, Pike County, Pennsylvania, to become effective immediately.


Thomas A, Simons, Chairman


Eric J. Ehrhardt, Vice-Chairman


Kenneth Coutts, Secretary

ATTEST: 
Jo-Ann M. Rose, Administrator