

## ARTICLE V

### AP AGRICULTURAL PRESERVATION AND RURAL RESIDENTIAL DISTRICT

#### Section 500. PURPOSE

It is the purpose of the AP, Agricultural Preservation and Rural Residential District, to foster the preservation of agriculture as an important economic activity in East Pikeland Township and to preserve viable agricultural land as an irreplaceable asset. Furthermore, it is the intent of the AP District to prevent the conflicts that can occur when residential development is allowed within areas of active agricultural operations and to permit certain compatible farm service uses and dwellings accessory to farm operations.

It is also the intent of the AP District to permit single-family detached uses according to a predetermined formula so that important agricultural lands will not be reduced in area below the minimum size requirements for viable farming operations.

Because other uses, although compatible with agricultural uses, may have the potential to cause conflicts with agricultural uses, such uses shall be permitted either as Conditional Uses or Special Exceptions and shall be subject to the general regulations and standards set forth in Article XVII.

#### Section 501. USE REGULATIONS

1. Permitted Uses. A building may be erected, altered or used and a lot may be used or occupied for any of the following purposes and no other:
  - A. Agriculture, in accordance with the provisions of Section 1809 and Section 1818.
  - B. Single-Family Detached Dwelling.
  - C. Veterinary Hospitals, Veterinary Clinics and Veterinary Offices, in accordance with the provisions of Sections 502.3 and 1818.
  - D. Commercial Horse Stables with no more than one (1) horse for every two (2) acres, gross, up to a maximum of twelve (12) horses.
  - E. Forestry in accordance with the provisions of Section 1823.
  - F. Township Municipal Use.
  - G. No-Impact Home-Based Business, in accordance with the provisions of Section 1806.
  - H. Accessory Use on the same lot with and customarily incidental to any of the foregoing permitted uses including but not limited to those described in Section 1804.

2. Uses by Special Exception. Any of the following uses shall be permitted when approved as a Special Exception by the Zoning Hearing Board, in accordance with the provisions of this Article and the standards and criteria contained in Section 2208.
  - A. Place of Worship.
  - B. Cemetery, provided that the tract devoted to such use contains a minimum of ten (10) acres, gross.
  - C. Major Home Occupation, in accordance with the provisions of Section 1806.
  - D. Accessory Dwelling Unit, in accordance with the provisions of Section 1803.
  
3. Conditional Uses. The following uses shall be permitted when approved as a Conditional Use by the Board of Supervisors, in accordance with the provisions of this Article and Section 2000.6.
  - A. Bed and Breakfast facility, in accordance with the provisions of Section 1807.
  - B. Golf Course (excluding golf driving range and miniature golf course).
  - C. Special Events, in accordance with the provisions of Section 502.5.
  - D. Cluster Residential Development Option, in accordance with the provisions of Section 502.6.
  
4. In addition to the foregoing all development shall comply with the provisions of Section 1825 (Agricultural Override).

Section 502.            AREA AND BULK REGULATIONS

1. Agricultural Uses permitted as of right in the AP District shall meet the area and bulk requirements of Section 1809.
2. Single-Family Detached Residential Uses permitted as of right in the AP District shall meet the following area and bulk requirements:
  - A. Density.

<b>Tract Size at the Effective Date of this Ordinance</b>	<b>Maximum Number of Lots That May Be Subdivided</b>
Less than 10 acres, gross	One (1) lot for each one and one half (1 ½) acres, net, not to exceed two (2) lots.
More than ten (10) acres and less than twenty (20) acres, gross	One lot for each one and one half (1 ½) acres not to exceed four (4) lots.
More than twenty (20) acres	Property owner is entitled to one (1) additional unit for each additional ten (10) acres, gross.

- B. On tracts of twenty (20) acres, gross or more a higher density may be achieved through the use of the Cluster Residential Option as provided in Section 502.6.
- C. Each Subdivided lot shall comply with the following dimensional, perimeter setback, coverage and height requirements for all buildings and structures except silos and bulk bins are exempted from area and bulk regulations when attached to a building per Section 1809.4.
- (1) Minimum Lot Area - Each Lot shall have a minimum lot area of not less than one and one-half (1½) acres, net.
  - (2) Minimum Lot Width - Each lot shall have a width of not less than one hundred and fifty (150) feet measured at the building setback line and not less than fifty (50) feet measured at the front lot line.
  - (3) Minimum Front Yard - No building shall be situated less than seventy-five (75) feet from the front lot line.
  - (4) Minimum Side Yard - No principal building shall be situated less than twenty-five (25) feet from any side lot line.
  - (5) Minimum Rear Yard - No Principal building shall be situated less than fifty (50) feet from the rear lot line.
  - (6) Maximum Building Coverage - Not more than seven percent (7%) of the lot area may be covered by buildings.
  - (7) Maximum Impervious Surface - No more than ten percent (10%) of the lot may be covered by impervious surfaces.
  - (8) Maximum Height - Except as provided in Section 1704 of this Ordinance, no building or other structure shall exceed a height of three (3) stories or thirty-five (35) feet, whichever is less. Flagpoles shall be limited to thirty-five (35) feet in height.
  - (9) Accessory Structures - Accessory Use structures may be located within a side or rear yard only in accordance with the provisions of Section 1804, or with respect to the sheltering of animals, in accordance with the provisions of Section 1818.
3. Veterinary Hospital, Veterinary Clinic and Veterinary Office Uses permitted as of right in the AP District shall meet the following area and bulk and design requirements:
- A. Minimum Lot Area - A minimum lot area of not less than five (5) acres, gross shall be provided for every use.
  - B. Minimum Lot Width - Each lot shall have a width of not less than four hundred (400) feet, measured at the building setback line and not less than two hundred (200) feet, measured at the front lot line.

- C. Minimum Front Yard - No building shall be situated less than fifty (50) feet from the front lot lined.
  - D. Minimum Side Yard - No principal building shall be situated less than fifty (50) feet from any side lot line.
  - E. Minimum Rear Yard - No principal building shall be situated less than fifty (50) feet from the rear lot line.
  - F. Maximum Building Coverage - Not more than ten percent (10%) of the lot area may be covered by buildings.
  - G. Maximum Impervious Surface - No more than fifteen percent (15%) of the lot may be covered by impervious surfaces.
  - H. Maximum Height - No building or other structure shall exceed a height of three (3) stories or thirty-five (35) feet, whichever is less. Flagpoles shall be limited to thirty-five (35) feet in height.
  - I. Exterior Kennel Run Setback - No exterior kennel run shall be situated less than five hundred (500) feet from any lot line.
  - J. Outdoor Storage and Manure and Waste Storage Setback - No outdoor storage of any material shall be situated less than one hundred and fifteen (115) feet from any lot line.
  - K. Parking - Off-Street Parking shall be provided, in accordance with the provisions of Section 1706.
  - L. Accessory Structures - Accessory Use structures may be located within a side or rear yard only in accordance with the provisions of Section 1805, or with respect to the sheltering of animals, in accordance with the provisions of Section 1818.
4. Commercial Stables containing no more than twelve (12) horses permitted as of right in the AP District shall meet the following area and bulk and design requirements:
- A. Minimum Lot Area - A minimum lot area of not less than ten (10) acres, gross shall be provided for every use.
  - B. Minimum Lot Width - Each lot shall have a width of not less than four hundred (400) feet, measured at the building setback line and not less than two hundred (200) feet, measured at the front lot line.
  - C. Minimum Front Yard - No building shall be situated less than fifty (50) feet from the front lot line.
  - D. Minimum Side Yard - No principal building shall be situated less than fifty (50) feet from any side lot line.
  - E. Minimum Rear Yard - No principal building shall be situated less than fifty (50) feet from the rear lot line.

- F. Maximum Building Coverage - Not more than ten percent (10%) of the lot area may be covered by buildings.
  - G. Maximum Impervious Surface - No more than fifteen percent (15%) of the lot may be covered by impervious surfaces.
  - H. Maximum Height - Except as provided in Section 1703, no building or other structure shall exceed a height of three (3) stories or thirty-five (35) feet, whichever is less. Flagpoles shall be limited to thirty-five (35) feet in height.
  - I. Outdoor Storage and Manure and Waste Storage Setback - No outdoor storage of any material shall be situated less than one hundred and fifteen (115) feet from any lot line.
  - J. Parking - Off-Street Parking shall be provided, in accordance with the provisions of Section 1706.
  - K. Accessory Structures - Accessory Use structures may be located within a side or rear yard only in accordance with the provisions of Section 1804 and Section 1805, or with respect to the sheltering of animals, in accordance with the provisions of Section 1818.
5. Special Events, permitted as a Conditional Use in the AP District, shall meet the following requirements:
- A. The Applicant shall demonstrate the availability of an adequate drinking water supply, sanitary sewage facilities, parking and loading (where applicable) sufficient to accommodate one hundred and twenty five percent (125%) of the estimated number of attendees and participants at the event.
  - B. The Applicant shall present a plan to the Board of Supervisors for the direction and control of increased traffic arising from the event. Ingress and egress on the site shall use existing points of access only.
  - C. The Applicant shall provide adequate facilities to accommodate the event in a safe and convenient manner including, but not limited to, the securing of animals and equipment on the premises and the protecting of attendees from risk of injury by reason of contact with such animals and equipment.
  - D. The Applicant shall present as an integral part of the application a plan to the Board of Supervisors for the collection, cleaning and removal of trash and signs from the site, public rights-of-way, and the property of others and shall post financial security in a form and amount satisfactory to the Board of Supervisors.
  - E. Any application for a Conditional Use for the conduct of a Special Event shall be limited to the single scheduling thereof and shall not be deemed an approval for the conduct of subsequent repetitions thereof or for the conduct of other Special Events.
6. The Cluster Residential Development Option, permitted as a Conditional Use in the AP District, may be used to modify the Area and Bulk requirements for single-family detached dwellings only in accordance with the following conditions:

- A. Any tract of land within the AP District may be eligible for the Cluster Residential Development Option provided that public or community sewage disposal, in accordance with the effective Act 537 Plan, and water supply systems of sufficient capacity can be provided and all applicable regulations and standards of this Article are met.
- B. In any development of a tract of land where farmland is to be created and/or retained, the design of the development shall preserve the prime agricultural soils in such a manner that the land area, configuration and location offer the best opportunity for agricultural use.
- C. The following design regulations shall apply to any single-family detached residential development using the Cluster Residential Development Option.
- (1) The Cluster Residential Development Option shall be served by public or community sewage disposal, in accordance with the effective Act 537 Plan, and water supply systems.
  - (2) Any tract of land on which the Cluster Residential Development Option is to be used shall be held in single ownership or shall be the subject of an application filed jointly by the owners of the tract. The tract shall be developed according to a single plan under single direction and in the manner approved. Construction shall be initiated within nine (9) months of Final Plan approval. If an area is developed with two (2) or more parcels all parcels shall be contiguous except that such parcels may be separated by minor roads.
  - (3) A minimum of seventy percent (70%) of the gross tract area shall be retained as permanent open space and limited to agricultural or passive recreational uses. Such open space shall be subject to the standards in Section 1714.
  - (4) The following area and bulk regulations shall apply:
    - a. Lot Area: Minimum - 15,000 sq. ft., gross  
Maximum - 30,000 sq. ft., gross
    - b. Front Setback: Minimum - 40 feet
    - c. Rear Setback: Minimum - 40 feet
    - d. Side Setbacks: Minimum - 12 feet both
    - e. Building Height: Lesser of 3 Stories or 35 feet
    - f. Lot Width: Minimum - 100 feet at Building Setback Line  
Minimum - 50 feet at Front Lot Line
    - g. Impervious Cover: Maximum - 20%
    - h. Building Cover: Maximum - 15%

- D. The maximum net density (dwelling units per tract) for the Cluster Residential Development Option shall be calculated as follows:
- (1) The following uses shall be subtracted from the gross area of the tract:
    - a. Existing utility, including any storm and sanitary sewer and water supply easements, and Conservation Easements
    - b. Existing and Proposed Rights-of-Way
    - c. Any Area Used for Non-Residential or Non-Agricultural Purposes including, but not limited to, commercial, industrial, institutional and utility uses
  - (2) The following constrained lands that are located on the site shall also be subtracted from the gross area of the tract:
    - a. Floodplains
    - b. Seasonally High Water Table Soils as defined in Section 201 of this Ordinance.
    - c. Wetlands
    - d. Slopes of 25% and greater
  - (3) The resultant net area shall be divided by ten (10) providing a base dwelling unit yield.
  - (4) The base dwelling unit yield shall be multiplied by a density factor of three (3) (all fractional units shall be eliminated) to provide the number of dwelling units permitted under the Cluster Residential Development Option.
- E. All Cluster Residential Developments shall meet the following performance standards:
- (1) A one hundred (100) foot perimeter buffer area shall be provided and landscaped in accordance with the provisions of Section 1708 to visually screen all dwelling units from off-site roads.
  - (2) No roofline shall rise above any ridgeline located on the tract unless no other option is available.
  - (3) A Development Plan and a Natural and Cultural Resources Analysis together with mitigation measures if required shall be provided in accordance with the provisions of Section 2000.4.B and Section 2000.4.C.
  - (4) To the fullest extent possible, all trees six (6) inches dbh or greater, shall be preserved.
  - (5) All Environmental Resources on the tract shall be preserved in accordance with the provisions of Article IV.

- (6) Off-street Parking shall be required in accordance with the provisions of Section 1706.
  - (7) Signs may be installed in accordance with the provisions of Article XIX.
  - (8) Access and Circulation shall be required in accordance with the provisions of Section 1705.
  - (9) Landscaping shall be required in accordance with the provisions of Section 1709.
  - (10) All Utility Service shall be installed underground.
- F. When the maximum density cannot be achieved because of site limitations or performance standards, the unrealized density may be used for the transfer of development rights in accordance with the provisions of Article XV.

Section 503. GENERAL LIMITATION ON THE SUBDIVISION OF LAND IN THE AP DISTRICT

1. Any provision relating to a permitted, special exception or conditional use, or any design or dimensional provision notwithstanding, no subdivision, of any nature or description, of land in the AP District shall be permitted if any lot, other than a lot created pursuant to Section 502, but including a lot created as a "special purpose lot", as herein defined, shall have a lot area of less than ten (10) acres, gross.
2. A special purpose lot shall be one created for a specific use permitted pursuant to Section 501 (whether by right, special exception or conditional use), other than a limited residential use lot created pursuant to Section 501, in the AP District but having a minimum lot size under ten (10) acres, gross provided in Section 503.1 for such use.
3. The development rights of a "special purpose lot" shall be deemed utilized to the extent of the greater of (a) the required minimum lot size for that use, or (b) the area actually dedicated to the use.

Section 504. DESIGN STANDARDS

The following Design Standards shall, as applicable, govern the uses in the AP District:

1. Access, Highway Frontage and Interior Circulation as required by Section 1706.
2. Parking as required by Section 1707.
3. Off-Street Loading as required by Section 1708.
4. Landscaping, Screening and Buffering as required by Section 1709.
5. Lighting, as required by Section 1711.
6. Open Space, Recreation, Greenways and Trails as required by Section 1714.
7. Storage as required by Section 1815.
8. Signs as required by Article XIX.

Section 505. ENVIRONMENTAL IMPACT ASSESSMENT

Any preliminary and final plan application for a proposed subdivision or land development in the AP District shall include an environmental impact assessment report which shall be approved by the Board of Supervisors. Such environmental impact assessment report shall be prepared in accordance with the requirements for an environmental impact assessment provided in Section 1826.

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