

**TOWNSHIP OF EAST HANOVER
LEBANON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2024- 01

AN ORDINANCE OF THE TOWNSHIP OF EAST HANOVER, LEBANON COUNTY, PENNSYLVANIA, AMENDING ARTICLE VIII, TO PERMIT BY SPECIAL EXCEPTION THE KEEPING OF LIVESTOCK AND FOWL, INCLUDING THE ACCESSORY KEEPING OF HORSES IN THE RF DISTRICT, ARTICLE IX, AMENDING THE REQUIREMENTS FOR THE KEEPING OF LIVESTOCK AND FOWL, INCLUDING THE ACCESSORY KEEPING OF HORSES IN THE RLD DISTRICT, ARTICLE XIV, AMENDING THE REQUIREMENTS TO ALLOW AGRICULTURAL ACTIVITIES IN THE LI DISTRICT, AND ARTICLE XX, AMENDING THE REQUIREMENTS TO PRECLUDE THE ESTABLISHMENT OF PRINCIPAL SOLAR ENERGY SYSTEMS IN THE LI DISTRICT.

WHEREAS, the Board of Supervisors of East Hanover Township, Lebanon County, Pennsylvania deem it to be in the best interest and general welfare of the citizens and the residents of this Township (1) to amend Chapter 250, Zoning to provide an opportunity for the keeping of livestock and fowl, including the accessory keeping of horses, in the Residential Forest (RF) Zoning District; (2) to amend the requirements of Chapter 250, Zoning for the keeping of livestock and fowl, including the accessory keeping of horses, in the Low Density Residential (RLD) Zoning District; and (3) to amend the requirements of Chapter 250, Zoning to preclude the establishment of Principal Solar Energy Systems and allow agricultural activities in the Limited Industrial District; and

WHEREAS, at direction of the Board of Supervisors of East Hanover Township, the East Hanover Township Planning Commission has prepared certain amendments to Chapter 250, Zoning; and

WHEREAS, the Board of Supervisors of East Hanover Township has conducted a public hearing to consider certain amendments to Chapter 250, Zoning; and

WHEREAS, prior to the public hearing, the proposed amendments were provided to the Lebanon County Planning Department for comments as provided by law; and

WHEREAS, after a public hearing and after consideration of all information, comments and questions, members of the Board of Supervisors have deemed it beneficial to the residents of East Hanover Township and to the promotion of the health, safety, morals, convenience, order and welfare of present and future inhabitants of East Hanover Township to amend said Chapter 250, Zoning.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Supervisors of East Hanover Township as follows.

1. ARTICLE VIII, §250-41, SPECIAL EXCEPTION USES, IS HEREBY AMENDED

TO ADD A NEW §250-41 C., TO READ AS FOLLOWS:

- C. The keeping of livestock or fowl, including the accessory keeping of horses, subject to the following conditions:
- (1) A minimum lot size of ten (10) acres shall be provided.
 - (2) A maximum of one (1) animal unit (AEU) per acre shall be permitted.
 - (3) Buildings in which livestock, fowl, or other than customary household pets are kept shall be located no closer than one hundred (100) feet from the nearest dwelling other than that of the owner, nor within fifty (50) feet of any property line. Any pasture fence shall be located a minimum distance of ten (10) feet from the property line of an adjacent parcel in a Residential Zoning District or the property line of an adjacent parcel in residential use.
 - (4) The area within which livestock or fowl, including horses, are kept shall be enclosed by a fence designed for containment.
 - (5) The owner of the livestock or fowl, including horse(s), shall provide suitable shelter for the animal(s), shall exercise suitable control over the animal(s) and shall not allow a nuisance condition to be created in terms of excessive noise, odor or soil erosion.

2. ARTICLE IX, §250-51, SPECIAL EXCEPTION USES, IS HEREBY AMENDED TO ADD NEW SUBSECTIONS §250-51 F.(4) AND (5), TO READ AS FOLLOWS:

- (4) The area within which livestock or fowl, including horses, are kept shall be enclosed by a fence designed for containment.
- (5) The owner of the livestock or fowl, including horse(s), shall provide suitable shelter for the animal(s), shall exercise suitable control over the animal(s) and shall not allow a nuisance condition to be created in terms of excessive noise, odor or soil erosion.

3. ARTICLE XIV, §250-94, PERMITTED USES, IS HEREBY AMENDED TO ADD NEW SUBSECTIONS §250-94 A.(14) THROUGH §250-94 A.(17), TO READ AS FOLLOWS:

- (14) State-owned property and governmental uses. Such property and uses shall be subject to the provisions of this chapter only insofar as permitted by the Constitution and laws of the Commonwealth of Pennsylvania.
- (15) Federally owned property and governmental uses. Such property and uses shall be subject to the provisions of this chapter only insofar as permitted by the Constitution and laws of the United States government.
- (16) Agriculture, crop farming, pasturing, horticulture, nurseries, aviaries, hatcheries,

apiaries, and similar agricultural uses. Greenhouses are also permitted.

(17) Non-intensive and intensive animal husbandry as defined and regulated in § 250-2.

4. ARTICLE XX, §250-200, SOLAR, WIND AND ALTERNATE ENERGY STANDARDS, IS HEREBY AMENDED TO REVISE §250-200 E.(1) AND §250-200 F.(1), TO READ AS FOLLOWS:

E. Regulations Applicable to All Principal Solar Energy Systems.

(1) PSES shall be permitted by special exception in the Industrial and Institutional Zoning Districts. In addition, roof mounted and wall mounted Principal Solar Energy Systems shall be permitted by special exception on principal and accessory buildings in the Agricultural Zoning District.

F. Additional Requirements for Ground Mounted Principal Solar Energy Systems.

(1) A minimum lot size of 5 acres is required in the Industrial and Institutional Zoning Districts.

5. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the East Hanover Township Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included therein.

6. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

7. This Ordinance shall become effective five (5) days after enactment by the Board of Supervisors.

Ordained and enacted this 24th day of JUNE, 2024

Board of Supervisors
East Hanover Township

Edward L Heagy
Chairman

[TOWNSHIP SEAL]

(DRAFT 05/29/24)

11821742.1

Attest:

Dennis L. Hubb.
Township Secretary

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