

ORDINANCE NO. 2024-003

**AN ORDINANCE OF THE TOWNSHIP OF SOLEBURY,
BUCKS COUNTY, PENNSYLVANIA, AMENDING THE
SOLEBURY TOWNSHIP ZONING ORDINANCE
ESTABLISHING CONDITIONAL USE AND BULK AREA
REGULATIONS FOR ACCESSORY DWELLINGS FOR
AGRICULTURAL WORKERS IN THE RA,
RESIDENTIAL/AGRICULTURAL DISTRICT AND THE
RB, RESIDENTIAL/AGRICULTURAL DISTRICT**

WHEREAS, Section 1516 (53 P.S. Section 66516) of the Pennsylvania Second Class Township Code provides that the corporate powers of the Board of Supervisors of Solebury Township (the “Board of Supervisors”) include the ability to plan for the development of the Township through Zoning, Subdivision, and Land Development Regulations under the Act of July 13, 1968 (P.L. 805, No. 247), known as the “Pennsylvania Municipalities Planning Code”;

WHEREAS, Section 1601 of the Second Class Township Code provides that the Board of Supervisors may adopt Ordinances in which general or specific powers of the Township may be exercised, and, by the enactment of subsequent Ordinances, the Board of Supervisors may amend, repeal, or revise existing Ordinances (53 P.S. Section 66601);

WHEREAS, it is in the public interest of the residents of the Township for the Township to establish conditional use and bulk area regulations for accessory dwellings for Agricultural Workers in the RA, Residential/Agricultural District and the RB, Residential/Agricultural Aistrict.

WHEREAS, the proposed amendments have been advertised, considered, and reviewed in accordance with Municipalities Planning Code Section 609 (53 P.S. Section 10609);

NOW THEREFORE, in consideration of the foregoing, be it **ENACTED** and **ORDAINED** by the Board of Supervisors of Solebury Township, Bucks County, Pennsylvania, as follows:

I. Chapter 27 of the Township Code of Ordinances is hereby **AMENDED** as follows:

A. AMEND Section 27-202 of the Zoning Ordinance as follows:

1. **ADD** the definition “Agricultural Workers” as follows:

AGRICULTURAL WORKERS

Individuals who earn their primary income by undertaking one or more agricultural use activities.

B. AMEND Section 27-402 of the Zoning Ordinance as follows:

1. **ADD** Section 27-402.1.C.17 as follows: “(17) Accessory dwellings for agricultural workers.”

C. **AMEND** Section 27-404 of the Zoning Ordinance as follows:

1. **ADD** the phrase "Except for accessory dwellings for agricultural workers" 27-404.1.B.2.i so that it now reads as follows: "(i) Clustering. Except for accessory dwellings for agricultural workers, the principal dwelling and all accessory dwellings shall be clustered within 20% of the entire tract."

2. **STRIKE** Section 27-404.1.B.2.j in its entirety and **REPLACE** it with the following:

(j) Maximum number allowed. A combined maximum of one accessory dwelling and/or accessory dwellings for agricultural workers may be erected provided the lot is a minimum of four acres in area and less than 50 acres in area. A combined maximum of two accessory dwellings and/or accessory dwelling for agricultural workers may be erected provided the lot is a minimum of 50 acres in area.

3. **ADD** Section 27-404.1.C.9(a-m) as follows:

(9) Accessory Dwellings for Agricultural Workers

(a) Maximum occupancy: the Board of Supervisors may set the size and maximum occupancy of the dwelling by condition as part of a conditional use decision.

(b) Minimum lot area: four acres.

(c) Minimum lot width at building line: 225 feet.

(d) Minimum lot width at street line: 100 feet.

(e) Maximum total impervious surface coverage: 20%.

(f) Maximum building coverage: 15%.

(g) Minimum depth of front yard: 80 feet.

(h) Minimum depth of rear yard: 60 feet.

(i) Minimum width of each side yard: 50 feet.

(j) Maximum number allowed. A combined maximum of one accessory dwelling and/or accessory dwelling for agricultural workers may be erected provided the lot is a minimum of four acres in area and less than 50 acres in area. A combined maximum of two accessory dwellings and/or accessory dwellings for agricultural workers may be erected provided the lot is a minimum of 50 acres in area.

(k) Nothing contained in this section shall permit an accessory dwelling for agricultural workers to be constructed on a lot which has been restricted from the construction of additional dwellings by deed, subdivision plan, operation or law or otherwise.

(l) When an owner of a lot wishes to erect an accessory dwelling for agricultural workers, the owner shall enter into a unilateral declaration of restrictions and covenants in a form acceptable to the Township agreeing not to subdivide the accessory dwelling or subject it to a plan of condominium.

(m) The lot owner shall submit to the Township a certification on a form provided or approved by the Township confirming that it is complying with all requirements of this Part and all conditions of the conditional use approval, on or before September 30 of each year.

D. AMEND Section 27-602 of the Zoning Ordinance as follows:

1. **ADD** Section 27-602.1.C.19 as follows: “(19) Accessory dwellings for agricultural workers.”

E. AMEND Section 27-604 of the Zoning Ordinance as follows:

1. **ADD** the phrase “Except for accessory dwellings for agricultural workers” 27-604.1.B.2.i so that it now reads as follows: “(i) Clustering. Except for accessory dwellings for agricultural workers, the principal dwelling and all accessory dwellings shall be clustered within 20% of the entire tract.”

2. **STRIKE** Section 27-604.1.B.2.j in its entirety and **REPLACE** it with the following:

(j) Maximum number allowed. A combined maximum of one accessory dwelling and/or accessory dwellings for agricultural workers may be erected provided the lot is a minimum of seven acres in area and less than 50 acres in area. A combined maximum of two accessory dwellings and/or accessory dwelling for agricultural workers may be erected provided the lot is a minimum of 50 acres in area.

3. **ADD** Section 27-604.1.C.10(a-m) as follows:

(10) Accessory Dwellings for Agricultural Workers

(a) Maximum occupancy: the Board of Supervisors may set the size and maximum occupancy of the dwelling by condition as part of a conditional use decision.

(b) Minimum lot area: seven acres.

(c) Minimum lot width at building line: 225 feet.

(d) Minimum lot width at street line: 100 feet.

(e) Maximum total impervious surface coverage: 20%.

(f) Maximum building coverage: 15%.

- (g) Minimum depth of front yard: 80 feet.
- (h) Minimum depth of rear yard: 60 feet.
- (i) Minimum width of each side yard: 50 feet.
- (j) Maximum number allowed. A combined maximum of one accessory dwelling and/or accessory dwelling for agricultural workers may be erected provided the lot is a minimum of seven acres in area and less than 50 acres in area. A combined maximum of two accessory dwellings and/or accessory dwellings for agricultural workers may be erected provided the lot is a minimum of 50 acres in area.
- (k) Nothing contained in this section shall permit an accessory dwelling for agricultural workers to be constructed on a lot which has been restricted from the construction of additional dwellings by deed, subdivision plan, operation or law or otherwise.
- (l) When an owner of a lot wishes to erect an accessory dwelling for agricultural workers, the owner shall enter into a unilateral declaration of restrictions and covenants in a form acceptable to the Township agreeing not to subdivide the accessory dwelling or subject it to a plan of condominium.
- (m) The lot owner shall submit to the Township a certification on a form provided or approved by the Township confirming that it is complying with all requirements of this Part and all conditions of the conditional use approval, on or before September 30 of each year.

F. **AMEND** Section 27-2603 of the Zoning Ordinance as follows:

1. **ADD** Section 27-2603.1.A.3 as follows: “(3) Accessory dwellings for agricultural workers.”

II. Partial Repealer

All other provisions of the Ordinances of Solebury Township, as amended, shall remain in full force and effect. All other Ordinances or provisions of the Ordinance inconsistent herewith or in conflict with any of the terms hereof are, to the extent of said inconsistencies or conflicts, hereby specifically repealed.

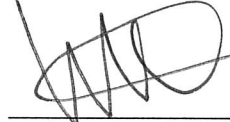
III. Severability

The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence or part of a provision had not been included herein.

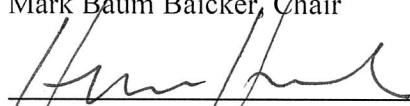
IV. Effective Date

All provisions of this Ordinance shall be in full force and effect five (5) days after the approval and adoption.

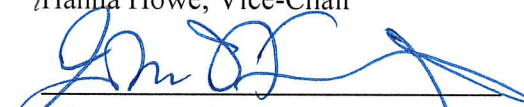
ORDAINED AND ENACTED this 16th day of July, 2024.



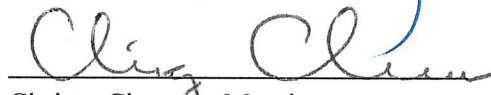
Mark Baum Baicker, Chair



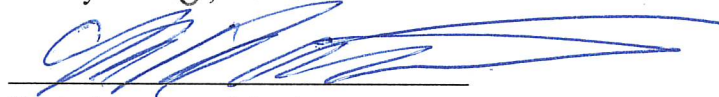
Hanna Howe, Vice-Chair



John S. Francis, Member

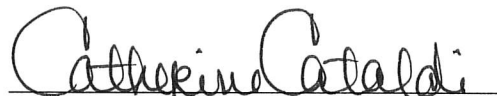


Christy Cheever, Member



Kevin Morrissey, Member

Attest:



Catherine Cataldi, Township Secretary