

TOWNSHIP OF WEST COCALICO

Lancaster County, Pennsylvania

ORDINANCE NO. 148

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE TOWNSHIP OF WEST COCALICO, CHAPTER 27, ZONING, TO ESTABLISH A NEW ZONING DISTRICT TO BE KNOWN AS THE AGRICULTURAL INDUSTRIAL DISTRICT; TO ADD REGULATIONS FOR THE AGRICULTURAL INDUSTRIAL DISTRICT; AND TO REZONE CERTAIN LANDS FROM A-2 AGRICULTURAL DISTRICT AND OS WOODLAND DISTRICT TO AGRICULTURAL INDUSTRIAL DISTRICT.

BE AND IT IS HEREBY ORDAINED AND ENACTED by Board of Supervisors of the Township of West Cocalico, Lancaster County, Pennsylvania, as follows:

Section 1. The Code of Ordinances of the Township of West Cocalico, Chapter 27, Zoning, Part 3, Zoning Districts, §27-301, Types of Zoning Districts, shall be amended by adding a new Subsection L which shall provide as follows: "L. AI – Agricultural Industrial District."

Section 2. The Code of Ordinances of the Township of West Cocalico, Chapter 27, Zoning, shall be amended by revising a Part 13, Reserved, to be titled "AI --Agricultural Industrial District" and by adding a new Part 13 which shall provide as follows:

Part 13

AI -- Agricultural Industrial District

§27-1301. Purpose.

The A-I - Agricultural Industrial District seeks to promote the continuation and preservation of the existing agricultural operations by enabling and encouraging industries which supply agricultural operations and industries which process the products of the agricultural operations in the Township. within those areas most suitable for such activities. This district is specifically intended to promote agricultural operations through providing land for industrial operations that utilize agricultural products such as food manufacturing, mills, and food storage operations. The agricultural industrial operations authorized in the Agricultural Industrial District exceed the more limited farm businesses allowed in the A-1 and A-2 Agricultural Districts. Any future inhabitants in this district may be subject to some common characteristics of agriculture which are sometimes regarded as objectionable, including but not limited to odor, dust, night, holiday, early morning and weekend operations, noise, heavy vehicle use of roads, the storage and disposal of manure, the application of fertilizers, herbicides, etc. Residents, owners, and users of property in this district should accept

these factors as normal and unavoidable characteristics of an agricultural area and are hereby put on official notice that §4 of the Pennsylvania Act 133 of 1982, referred to as the "Right to Farm Law," 3 Pa. C.S.A. §951 *et seq.*, may bar them from obtaining a legal judgement against such normal agricultural operations.

§27-1302. Permitted Uses.

Land and buildings in the AI - Agricultural Industrial District shall be used only for the following purposes:

A. Any use permitted as of right within the A-2 Agricultural District under §27-602 except uses authorized by §27-602.K.

B. Food processing and storage facilities, which may include processing, packaging, storage, distribution and/or wholesaling meat, poultry, eggs, dairy and other agricultural products. This use shall not include a produce or tobacco auction or any retail sales.

C. Pet food processing and storage facilities, which may include processing, packaging, storage, distribution and/or wholesaling. This use shall not include any retail sales.

D. Grain storage/commercial feed mill.

E. Agricultural equipment, feed supply and fertilizer distributors.

F. Customary accessory uses to the above uses and additional accessory uses meeting the requirements of §27-1304.

§27-1303. Area and Height Regulations.

1. Minimum Lot Area – Five acres.

2. Minimum lot width–150 feet at the building line.

3. Minimum lot depth–160 feet.

4. Yard Requirements. All buildings shall be set back from street rights-of-way and lot lines in accordance with the following requirements:

A. Front Yard. The minimum front yard required from all street rights-of-way except the Pennsylvania Turnpike shall be that distance established in Part 19 of this Chapter between the right-of-way line of a public or private road and the building line.

B. Side Yard. There shall be two side yards each having a minimum width of 20 feet.

C. Rear Yard. The rear yard shall be a minimum of 50 feet in depth. In AI

– Agricultural Industrial District the setback from the Pennsylvania Turnpike shall be considered a rear yard.

5. Maximum lot coverage – 60 percent.

6. Height Regulations. No principal building shall exceed 50 feet in height except as provided in §27-1304 or Part 21 of this Chapter.

7. Minimum Off-Street Vehicle Parking and Loading Requirements. Off-street parking and loading facilities shall be provided in accordance with the requirements of Part 18.

§27-1304. Additional Standards for Certain Uses.

Food processing and storage facilities, pet food processing and storage facilities, and grain storage/commercial feed mills shall be subject to the following additional requirements:

1. The maximum building height shall be 75 feet if such building is set back at least 75 feet from all property lines.

2. All buildings and outdoor storage facilities shall be set back not less than 100 feet from any lands within a residential zoning district and from any dwelling on adjoining lot in existence on January 1, 2021, located in the Agricultural Industrial District or an Agricultural District.

3. Lands not devoted to buildings, parking, circulation, and outdoor storage associated with the principal use of the property may be used for agriculture by the operator of the principal use or may be leased to another person or entity for crop farming.

4. The applicant shall identify the route which vehicles will take to and from the proposed use. The applicant shall provide a detailed analysis of the physical conditions of the public road system which vehicles will use. The analysis shall include information on the current traffic flows on this road system and projections of traffic to be generated by the proposed use. Improvements to the frontage of the subject property to implement the recommendations of the analysis shall be provided by the applicant and completed within one year from the date of land development approval or, if no land development approval is required, within one year of the issuance of the zoning permit for the use. The applicant shall identify all improvements required to compensate for any adverse effects which will result to the road system as a result of the applicant's proposed use or required to address an existing deficiency to enable safer use by the vehicles serving the proposed use.

5. Truck maneuvering areas on the subject property shall be improved with an asphalt or concrete surface and such areas shall be located at least 25 feet from all property or public street right-of-way lines other than the right-of-way line of the Pennsylvania Turnpike. The setback from the Pennsylvania Turnpike right-of-way shall be 20 feet.

6. In addition to those accessory uses permitted by §27-1302.F, the following

accessory uses are permitted:

- A. Storage of fuels for on-site use and to fuel vehicles used by the principal use.
- B. Facility for the repair and inspection of vehicles of the operator of the principal use.
- C. Water and/or wastewater treatment facilities serving the principal use.
- D. Employee amenities including, but not limited to, cafeteria, day care facilities, exercise or recreational facilities, and changing and showering facilities provided, however, that all such employee amenities shall be limited to use by employees. Such amenities shall not have signs or identification visible off the lot and shall not be advertised to the general public.

Section 3. The Code of Ordinances of the Township of West Cocalico, Chapter 27, Zoning, §27-302, Official Zoning Map, shall be amended by changing the zoning classifications of the tracts of land listed below from their present classification as A-2 Agricultural District or OS Woodland District to a new classification as AI-Agricultural Industrial District:

<u>Tax Account Number</u>	<u>Address</u>	<u>Owner</u>
090-10908-0-0000	550 Sandy Hill Road	Mahlon and Ellen Eberly
090-99095-0-0000	25 Hillside Road	Moses and Rhoda Mae Stoltzfus
090-46057-0-0000	Hillside Road Tract A	J. F. Martin Family Corp.
090-23657-0-0000	175 Hillside Road	Leon and Anna Mary Nolt
090-63852-0-0000	85 Lower Hillside Road	Bernell M. and Karen M. Martin
090-61007-0-0000	190 Hillside Road	Jay L. and Regina H. Martin
090-20641-0-0000	55 Lower Hillside Road	J. F. Martin Family Corp.
090-03574-0-0000	285 Hillside Road	J. F. Martin Family Corp.
090-32869-0-0000	1210 Girl Scout Road	Tod L. Wilcox
090-38621-0-0000	545 Sandy Hill Road	Nelson R. Weaver
090-21678-0-0000	Sandy Hill Road	Richard K. and Joanne L. Stehr
090-82244-0-0000	555B Sandy Hill Road	Fisher Land Holdings, LLC
090-39586-0-0000	555A Sand Hill Road	Fisher Land Holdings, LLC

Section 4. The Secretary of the Township is directed to change, and duly certify, the West Cocalico Township Official Zoning Map so as to effectuate the reclassification of the tracts of land identified in Section 3 from A-2 Agricultural District or OS Woodland District to AI Agricultural Industrial District.

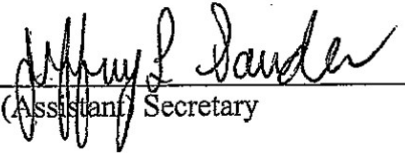
Section 5. All other sections, parts and provisions of the West Cocalico Township Code of Ordinances shall remain in full force and effect as previously enacted and amended.

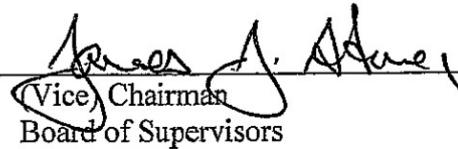
Section 6. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of the Board of Supervisors that the remainder of the Ordinance shall be and shall remain in full force and effect.

Section 7. This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of the Township of West Cocalico as provided by law.

DULY ORDAINED AND ENACTED this 7th day of October, 2021, by the Board of Supervisors of the Township of West Cocalico, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF WEST COCALICO
Lancaster County, Pennsylvania

Attest: 
(Assistant) Secretary

By: 
(Vice) Chairman
Board of Supervisors

[TOWNSHIP SEAL]