

## LYKENS TOWNSHIP ZONING ORDINANCE AMENDMENT #2

### REVISE TEXT IN ARTICLE 5, Sections 502, 504, 506 and 509

#### Section 502. PERMITTED USES

A building may be erected and a lot may be used or occupied for any of the following purposes:

- A. Agricultural Services
- B. Agricultural Uses
- C. Animal Hospital
- D. Animal Services
- E. Auction House
- F. Bed and Breakfast
- G. Boarding Stable
- H. Breeding Farm
- I. Cemetery
- J. Church
- K. Commercial Greenhouse
- L. Communication Facilities
- M. Day Care, Home
- N. Dog Kennel
- O. Dwelling, Manufactured Home (Inserted from Section 504)
- P. Dwelling, Single-Family Detached (Inserted from Section 504)
- Q. Electric Substation
- R. Electric Transmission and Distribution Facilities
- S. Farm
- T. Feedlot
- U. Fish Farm
- V. Forestry
- W. Government Uses
- X. Nature Preserve
- Y. Nursery, Horticulture
- Z. Public Stable
- AA. Public Utility Facilities
- BB. Recreation, Private
- CC. Recreation, Public
- DD. Recycling Collection Facility
- EE. Repair Services
- FF. Riding Academy
- GG. Saw Mill
- HH. School Facility
- II. Silviculture
- JJ. Veterinary Hospital
- KK. Veterinary Services
- LL. Wildlife Preserve

- MM. Wildlife Propagation
- NN. Any use determined by the Zoning Officer to be of the same general character as the above listed permitted uses.

#### **Section 504. CONDITIONAL USES**

When authorized by the Lykens Township Board of Supervisors, the following conditional uses are permitted in accordance with the specific standards and requirements set forth in Article 20.

- A. Airport
- B. Agriculture Commodities Processing
- C. Commercial Livestock and Poultry Farming
- D. Dwelling, Industrialized Housing
- E. **Dwelling, Manufactured Home** (Remove and move to Section 502)
- F. Dwelling, Mobile Home
- G. **Dwelling, Single-Family Detached** (Remove and move to Section 502)
- H. Dwelling, Seasonal
- I. Golf Course
- J. Slaughter House
- K. Timber Harvesting

#### **Section 506. LOT AREA AND LOT WIDTH REGULATIONS**

*(Text in bold is added. Text with strike out is removed)*

The minimum lot area and lot width shall be established in accordance with the following standards:

- A. The minimum lot size for a farm **and agriculture tracts** shall be thirty-five (35) acres.
- B. The minimum lot size for permitted residential **dwelling units and accessory uses** shall be one (1) acre.
- C. The maximum lot size for permitted residential uses shall be one (1) acre, unless the requirements of Section 509 are met.
- D. The minimum lot size for non-farm and non-residential permitted uses shall be one (1) acre.
- E. The density of **any residential development** ~~residential units in single family use~~ shall not exceed one (1) dwelling unit per acre.
- F. The lot width at the street right-of-way line shall be not less than one hundred and fifty (150) feet.

**Section 509. FARM SUBDIVISION AND RESIDENTIAL DEVELOPMENT**  
*(Text in bold is added. Text with strike out is removed)*

In order to preserve the integrity of agriculture lands in Lykens Township as outlined in Section 501, land subdivisions and residential **subdivision and** development shall be subject to the following standards:

A. Farmland Subdivisions for Agriculture Uses

1. Farm parcels being divided into or among two or more farms **and/or farm tracts of land** shall each, after transfer, contain at least **thirty-five (35)** ~~thirty-five (35)~~ ~~fifty (50)~~ acres.
2. Farm parcels containing less than **thirty-five (35)** ~~fifty (50)~~ acres **may be subdivided and land may be transferred to an adjacent farm parcel**, provided that the receiving parcel of land **after the completion of the subdivision** will contain at least as many acres ~~of eropland~~ as the **original** "parent" transfer parcel prior to the **subdivision and** transfer.
3. Any new **lot lines** ~~division lines~~ created from an **agriculture land subdivision** and property transfers between two (2) or more farms shall be agriculturally reasonable and shall not be configured to render the agricultural use of the tracts less efficient for farming (i.e. under normal circumstances, fields and contour strips should not be split).

B. Dwelling Unit Allocation in the Agriculture Zone

1. Upon adoption of this Ordinance and in accordance with Section 509.D.1 and Table 5-1, all farm tracts in the Agriculture Zoning District have a fixed number of lots and dwelling units which may be constructed. At the time of any subdivision of land for transfer, the total maximum number of lots or dwelling units permitted on the "parent" tract shall be determined by the Zoning Officer.
2. An applicant submitting a farm **land** subdivision plan or transferring land shall be required to specify on the subdivision plan which lot or lots shall carry with them the right to erect or place any unused quota of lots or dwelling units the parent tract may have in accordance with **the Zoning Officer's determination and** Section 509.D.1.
3. Dwelling/Lot Allocation and Transfer Under Common Ownership

In the event two or more tracts of land are in common ownership, the property owner may transfer the right to create lots or erect dwellings as provided in Section 509.D.1 from one lot to another under the same

ownership. All lots created for residential development shall meet the requirements of this Ordinance. Any such transfer of lot or residential dwelling allocation shall be approved by the Township Zoning Officer prior to the submission of a subdivision plan.

4. Upon completion of a farm subdivision and transfer, **or dwelling unit allocation transfer**, at least one (1) lot or dwelling unit from the original "parent" tracts permitted allocation must be assigned to the land being separated, as well as the remaining portion of the original "parent" tract, unless that tract or parcel is being permanently joined to an adjacent tract or parcel which; 1) either contains an existing dwelling; or 2) has allocated to it the right to construct at least one (1) dwelling.

C. Existing buildings shall not be separated from the original "parcel" unless it is determined that they have no functional utility in connection with the agriculture use of the original parcel.

D. Residential Subdivisions

Single family detached dwelling units permitted in the Agriculture District in accordance with Section 504 shall meet the following requirements:

1. The total number of residential lots subdivided or dwelling units constructed on a contiguous tract of land in single ownership shall not exceed the number of lots/dwelling units in the sliding scale below:

**TABLE 5-1**

Size of Tract of Land as of the Official Date of Adoption of This Ordinance.	Number of Lots and Single Family Dwellings Permitted (including those existing as of the Official Date of Adoption of this Ordinance)
less than 15 acres	2
15 but less than 25 acres	3
25 but less than 50 acres	4
50 acres and over	5

2. As per Section 506.C., the **maximum** lot size for permitted residential uses shall be one (1) acre, unless the lot in its entirety is composed of land of low quality for agriculture use. Land is of low quality for agriculture use if it is in Soil Capability Class III through VIII as classified by the Soil Survey of Dauphin County (1972), ~~and~~, **or** the land cannot be feasibly

farmed due to: 1) existing features on the sight such as rock outcropping too close to the surface for plowing; 2) properly identified wetlands heavily wooded areas; 3) slopes in excess of twenty (20%) percent; and 4) the size and shape of the area suitable for farming is insufficient to permit efficient use of farm machinery.

3. For tracts fifty (50) acres and over, **or where a property owner having property in common ownership and may transfer lots and/or dwelling units in concentrated development clusters in accordance with Section 509.B.3**, the total number of residential lots subdivided shall have access to a public street. The maximum number of lots permitted to access an existing street shall not exceed five (5) lots, or consume twenty (20%) percent of the total property street frontage of the original tract, whichever is greater.
4. Residential lots created and occurring after the effective date of this ordinance shall not be further subdivided for residential purposes nor shall such residential lots be further developed to contain two (2) or more dwellings. A statement to this effect shall be included on the subdivision plan and be included in the property deed description as a covenant running with the land for so long as the land is in the Agriculture (A) District. A similar statement shall also be included on the recorded subdivision plan.

E. Proof of Agriculture Land Quality

The applicant shall have the burden of providing evidence to the Township Zoning Officer that the land being subdivided for residential development is of low quality for agriculture purposes and that it meets the requirements set forth in Section 509.D.2 of this Ordinance.

F. Soil Classification Review

Any land owner who disagrees with the soil classification of a farm or any part of the property by the Soil Survey of Dauphin County, issued February 1972, may submit engineering analysis of the soils on the portion of the farm which reclassification is being sought. The Zoning Officer shall consider the comments of the Dauphin County Conservation District, prior to any action or determination related to the reclassification.