

A Special Public Hearing was held April 18, 2006 at the Heidelberg Township Municipal Building and was called to order at 7:30 PM by Chairman Harry Rodgers.

Harry Rodgers, Larry Sterner, Tim Hansen, Tim Staub, Chuck Zeleski and Norma Markle were present.

Others present were Bill Brough, Terry Frock, Ron Frock and Ellen Thompson.

The purpose of the hearing was to inform and obtain public comments in regard to an Ordinance to amend certain sections of the Heidelberg Township Zoning Ordinance.

Chuck Zeleski, legal council summarized the proposed amended ordinance.

Tim Staub, from RETTEW, explained the proposed changes will be consistent with the new Township Comprehensive Plan and also York County's Comprehensive Plan. ; As Follows;

SECTION 1: PART I, SECTION 102 of the Heidelberg Township Zoning Ordinance is revised to add definitions for Agricultural Operation; Agriculture; Cemetery; Farm; Forestry; Greenhouse or Horticultural Nursery; No Impact Home-Based Business; Outdoor Commercial Recreational Establishment; and Outdoor Shooting Range.

SECTION 2: PART II, SECTION 202 shall be amended to add No Impact Home-Based Business and Forestry as Uses by Right in the Residential District.

SECTION 3: PART II, SECTION 203.2 shall be amended to add No Impact Home-Based Business and Forestry as uses by right in the Commercial District.

SECTION 4: SECTION 204.2 shall be amended to add No Impact Home-Based Business and Forestry as uses by right in the Industrial District.

SECTION 5: SECTION 205.2 shall be amended to add No Impact Home-Based Business as a use by right in the Agricultural District.

SECTION 6: PART II, SECTION 206, Conservation District, shall be deleted in its entirety and replaced with new regulations as follows:

SECTION 206.1 establishes that the purpose of the District is to designate those areas of the Township where, because of important, natural geographic resources and existing land uses, it is considered feasible and desirable to conserve open spaces, water supply sources, woodland areas, wildlife and other natural resources.

SECTION 206.2 sets forth uses by right to include farm buildings and agricultural uses, including the growing of crops and the pasturing of animals (excluding agribusiness), forestry (excluding accessory or production sawmills), nature preserves and wildlife sanctuaries, no impact home-based business, and single-family detached dwellings.

SECTION 206.3 indicates the uses by special exception and they are animal hospitals or kennels, bed and breakfast inns, campground, cemetery, club room, club grounds, or meeting

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hall, communication, television and radio transmitting and receiving towers, antennas, towers and equipment, horticulture, including nurseries and greenhouses, home occupation or profession, house of worship, outdoor commercial recreation establishment, outdoor shooting range, park or other recreation area of a non-profit nature, riding schools and horse boarding stables, accessory sawmill and domiciliary care facility.

SECTION 206.4.1 provides that the uses listed as permitted uses or by special exception within Sections 206.2 and 206.3 must comply with certain requirements to include a development allotment. Existing properties shall be permitted the following number of lots which may be erected permitted principal or special exception uses meeting the standards of the section. The number of lots allocated to a property shall be based on the property size after the effective date of this amendment, excluding existing uses, lands already placed under a conservation easement or similar restriction, and in accordance with the following table. The table indicates that 0 to 4.99 acres, one lot may be subdivided from the parent tract; 5 to 14.99 acres, two lots may be subdivided from the parent tract; 15 to 29.99 acres, three lots may be subdivided from the parent tract; 30-79.99 acres, four lots may be subdivided from the parent tract; 80 to 129.99 acres, five lots may be subdivided from the parent tract; 130 to 179.99 acres, six lots may be subdivided from the parent tract; and for 180 or more acres, seven lots plus one lot for every 50 acres over 180 acres may be subdivided from the parent tract.

SECTION 206.4.2 provides that lot add-ons involving agricultural and forestry land in which no new lots are created shall not be counted against the number of lots permitted to be created in the schedule of Section 206.4.1.

SECTION 206.4.3 provides that any subdivision or land development plan filed for a tract of land in the Conservation District shall specify which lot or lots shall carry with them the right to erect or place thereon any unused quota of further subdivision or erection of a single-family dwelling or other principal non-agricultural buildings as determined by the provisions of the section.

SECTION 206.4.4 provides area and bulk requirements to include lot size, lot setbacks, widths and building heights.

SECTION 206.5 is entitled Locational Criteria and requires certain information to be provided in an application for subdivision and land development to include size, shape, contour and dimensions of the property, and the size, use, and location of existing buildings, all lots previously approved in accordance with Section 206.4, land under active cultivation, land use as pasture and forested land or land within woodlots, and the size, shape, contour, dimension, location of all proposed lots, buildings and on-lot sewage disposal lots.

SECTION 7: PART III of the General Provisions of the Heidelberg Township Zoning Ordinance is amended to include Section 313 Forestry. A forestry use is subject to all applicable federal and state laws and the landowner and/or operator shall be responsible for any damage to Township roads caused by a timber harvesting operation and may be required to furnish a bond to guarantee repair.

SECTION 8: PART VI Standards for Special Exception Uses is amended to include certain provisions. Those include regulations under Section 633 for greenhouses and nurseries and regulations under Section 634 for outdoor commercial recreational establishments. There is also provided in Section 635 regulations for an outdoor shooting range.

SECTION 9: All other sections, subsections and parts and provisions of the Heidelberg Township Zoning Ordinance remain in effect.

SECTION 10: In the event that any provision, section, sentence, clause or part of the Ordinance is held to be invalid or illegal that does not impair the remaining sections or clauses.

There were no questions or comments from those in attendance.

Special Hearing adjourned at 7:09 PM.

A Special Meeting was called to order by Chairman Harry Rodgers at 7:09 PM April 18, 2006 to take action on an Ordinance to Amend Certain Section of the Heidelberg Township Zoning Ordinance.

Tim Hansen stated that this has been in the works for the past 2 years and he feels this needs to be done to control the influx of new people in the area and maintain the growth of the Township.

Larry Sterner stated something needed to be done to control the growth and to keep the Township as rural as possible.

Tim Hansen made a motion to adopt **ORDINANCE 06-01** to amend the Zoning Ordinance as proposed at the Public Hearing. Larry Sterner seconded and Harry Rodgers concurred.

Meeting adjourned at 7:12 PM.

Norma Markle, Sec.

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