



THE COUNTY OF CHESTER



COMMISSIONERS
Marian D. Moskowitz
Josh Maxwell
Michelle Kichline

AGRICULTURAL DEVELOPMENT COUNCIL
Government Services Center, Suite 270
601 Westtown Road
P. O. Box 2747
West Chester, PA 19380-0990
(610) 344-6285 Fax (610) 344-6515

Chester County Agricultural Development Council
Government Services Center – Suite 270

Hybrid Meeting
May 3, 2023

Join the webinar: <https://chesco-org.zoom.us/j/97515636971?pwd=STV3eDVNTWFuQUZxQUVYUUhCcjRNZz09>

AGENDA

1. CALL TO ORDER

A. Chair’s Welcome

Chair

2. ACTION ITEMS

B. Approval of Ag Council Meeting Minutes – March 1, 2023

Chair

C. Vote on Farmer of the Year & Distinguished Service to Ag awards

Ann Lane

3. DISCUSSION AND INFORMATION ITEMS

E. Discussion of Board’s responsibilities

Brian O’Leary

1) Executive Director hiring process

2) Process for Board advocacy

1. DCNR funding requirements

F. Communications & Outreach

Ann Lane

1) Social media highlights

2) Farm Tales program

3) Road Safety Consumer campaign

4) Farm Guide update

5) Additional outreach strategies

6) American Planning Association National Conference

Jeannine Speirs

G. Municipal Update

1) Ag-friendly zoning outreach

Brian O’Leary

1. Initial letters and templates

2) 247 Review letters

Wes Bruckno

1. London Grove Township – ZA-03-23-17581

H. Ag Plan Implementation

Ann Lane

1) Farm Suitability Tool

Brian O’Leary, Paul Fritz, Gene Huller

2) Sustainability

Rachael Griffith

4. PUBLIC COMMENT

5. ADJOURNMENT

Chair

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COUNCIL**

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MINUTES: Regular Monthly Meeting
Chester County Agricultural Development Council
March 1, 2023

Hybrid Meeting
Government Services Center Room 270

Council Members present in Person: Gary Westlake, Chair; Ryan Heenan; Vince Pompo.

Council Members present via Zoom: Bill Schick; Tim Ferris; Adam Mowery; Cynthia Petrone-Hudock.

Council Members absent: Chris Alonzo; Casi Long; Dr. Barbara Dallap-Schaer, Vice Chair; Jodi Gauker.

Staff present in Person: Hillary Krummrich; Brian O' Leary; Ann Lane; Nancy Shields.

Visitors present in person: None.

Staff present via Zoom: Wes Bruckno.

Visitors present via Zoom: Caleb Arrowood; Robert Todd.

Call to Order: Gary Westlake called the meeting to order at 9:35 a.m.

Action Items:

A motion to approve the January 4, 2023 minutes was made by Mr. Heenan, seconded by Mr. Pompo, was passed.

Updates, New Business, Other Business:

Communications and Outreach:

Ms. Lane reported on the most popular social media posts: Meet the Maker profile of Geoff Shellington who highlighted the county's farmland and preservation program; Pennsylvania's productive forests on Instagram; and Valentine's Day post of Everyone Loves to Love Local.

Ms. Lane gave an update on the Good Food Fest. The cost of a table is increasing from \$1,000 to \$2,500. Governments and non-profits can share a table. Mr. O'Leary reported that there is \$25,000 budgeted for various initiatives. The CCEDF contract is currently charging \$2,000 a month for ten months towards the \$25,000, leaving \$5,000 for other 2023 initiatives. Other options to apply the CCEDF costs to are being looked at.

Ms. Lane reported that a survey was sent out to gather farmer feedback for the Rural Roads Safety program. To build upon the valuable survey data already collected, Ms. Lane is attending the Farm Bureau board meeting. Mr. Westlake suggested bringing hard copies of the survey to the Farm Bureau board meeting. Other areas of outreach can include: new and beginning drivers through the Intermediate Unit drivers' education programs; pick your own rack card. Welcome Neighbor has agreed to carry this card for new residents.

Next, Ms. Lane reported that the next Farm Tales Series will be held at the Coatesville Library on April 15. “Anywhere Farm” by Phillis Root will be shared. This series will be held seasonally instead of monthly. The last monthly series featured a video created by Mr. Ferris which showed Mr. Ferris feeding his bees and bee care through the winter.

Lastly, Ms. Lane mentioned that National Ag Day is March 21. The Commissioners will be giving a proclamation at their March 29 meeting.

Ms. Petrone-Hudock reported that a group she joined was awarded \$150,000 from the state for promoting hemp in Pennsylvania. The award money needs to be spent by June 30, 2023.

American Planning Association National conference:

Ms. Krummrich talked about the April 3rd mobile workshop that she and Jeannine Speirs are organizing for the National Planning conference. The first stop is Thornbury farm, the next stop is at the New Bolton Center, and the last stop is behind the scenes at Longwood Gardens. Mr. O’Leary suggested highlighting the Ag Plan while traveling between stops. Mr. Pompo suggested memorializing the workshop through photos and video.

Municipal Update:

Mr. Bruckno reported that they are trying to understand municipal agriculture concerns by looking at several parameters. The parameters were summarized into two areas: agriculture policy in Comprehensive Plans and zoning ordinance allowance for modern farming business needs. Mr. Bruckno mentioned the following two takeaways: mostly non-farmer input and the complex interrelationship of zoning ordinances.

Ms. Krummrich reported that she would like to couple the regulatory assessment with offering help to municipalities to understand the modern needs of agriculture and to help them create their own regulatory chapter. Ms. Krummrich shared a sample letter that may be sent to pilot municipalities.

Mr. Westlake suggested adding the following to the information sheet: Chester County ACRE case statistics; links to resourceful county partners; and links to eTools.

Mr. O’Leary noted that Vision Partnership Program grant funding is available for zoning ordinance updates to municipalities who have endorsed Landscapes3, Chester County’s Comprehensive Plan.

Mr. Pompo suggested adding the following county resources to help assist municipalities in other non-zoning areas: Right to Farm, ag security areas, and ag conservation easement programs.

Mr. Bruckno summarized the 247 review letters: Willistown Township’s zoning ordinance amendment for direct commercial sales of agricultural commodities; New Garden Township’s land development proposal of compost bunkers.

Ag Plan Implementation:

Mr. O’Leary reported that the CCEDF contract is now a one-year contract with four key implementation partners: ADC, Parks and Preservation (Land Preservation Board), CCEDC, and Penn State Extension. Ms. Gauker indicated that she will meet with the four partners on their current status and to garner feedback on the updated contract. Ms. Gauker informed the board that this contract was on today’s Commissioners’ meeting consent agenda and was approved. Ms. Gauker also indicated that she is no longer an ADC board member but plans to attend future board meetings as a contractor.

Directors Report:

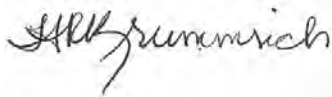
There was no public comment.

Ms. Lane asked for suggestions for candidates for the Farmer of the Year award and for the Distinguished Service Award to be sent to her before the next board meeting so the candidates can be discussed and voted upon.

The next meeting will be Wednesday, May 3, 2023, at 9:30 AM.

There being no further business, the meeting was adjourned at 11:14 AM by Mr. Westlake. A motion was made by Mr. Pompo and seconded by Mr. Heenan.

Respectfully Submitted,



Hillary R. Krummrich, Esq.
Secretary

HRK/ncs

Note: Complete reports are a part of the Agricultural Development Council files and can be reviewed at the Planning Commission Office.

DRAFT

Maintaining Ag Friendly Municipalities

We need your help to keep our sense of place here in Chester County!

The county is implementing its *Agricultural Economic Development Strategic Plan* and your involvement at the municipal level is crucial. The Chester County Ag Council can help your municipality prepare for the future by understanding modern agriculture, what it needs to thrive, and how it can help benefit the environment, maintain historic structures, and provide agrarian viewsheds, in addition to keeping our local economy strong.

Agriculture is constantly changing, adapting to current trends, adopting technology, and embracing environmental practices; all redefining how food, fuel and fiber are produced.



So why should you help?

Ag is more diverse than ever

Agriculture is not the same as it was decades ago. Business models differ, the types of operations have increased and there are many different sales models, such as direct-to-consumer (on or off-farm) that producers can use. Agriculture can provide entertainment through a variety of ways, such as pick-your-own opportunities with the kids or wine tasting with friends.

Ag is vital to economic success

The agricultural industry is a leading employer and tax generator throughout the county. It provides open working lands, which can help keep costs of local services low, such as police and fire protection, as opposed to when the land is developed. And economically successful farms are the best way to preserve open space.

Ag is under pressure from residential development

As part of the Philadelphia metropolitan area, Chester County is under immense development pressure, which is expected to continue. This new growth often brings new residents who neither understand nor appreciate the realities of working lands, including the county's many vibrant and active farms.

Ag zoning regulations may be out of date

The agricultural industry is more than large acre dairy or beef operations. The industry includes many types of farming, including small acreage production and climate-controlled businesses. As such, the regulations that once worked to protect farming in your communities may no longer be suitable.



How can you help?

Make your zoning ag friendly ►

Zoning ordinances should be updated regularly to reflect modern agricultural practices and the realities of Chester County's unique position in a major metropolitan area. These ordinances should identify agricultural preservation as a community goal, allow agricultural uses throughout the community, encourage secondary farm businesses, allow controlled environment agriculture, and permit agritainment.

Respect a farmer's right to farm ►

By law, local municipalities must allow normal agricultural operations. Local municipalities should be sure they are complying with the state's Agricultural Communities and Rural Environments Act (ACRE).

Create agricultural security areas ►

At the request of local farmers, municipalities can create Agricultural Security Areas that protect farmers from nuisance regulations, make it more challenging for government to take agricultural land, and allow farmers to apply to the state ag land preservation program.

Encourage farmers to preserve their land ►

Nearly 44,000 acres of farmland have been preserved in the county through the state farmland preservation program, and local municipalities can encourage farmers to apply to this program by providing information and technical support.

Work with farmers to keep their businesses strong

Farmers are so busy running their farms, they often don't have time to learn the ins and outs of government regulations. Local municipalities can help them navigate this process, potentially providing exemptions for building code, stormwater, and waste management requirements.

If your municipality would like assistance with agricultural issues, please contact the Chester County Ag Council.

CHESTER COUNTY
**Agricultural
Economic
Development
Strategic Plan**
2022

Strategies

- Agricultural Markets
- Business & Financing
- Education & Outreach
- Labor & Workforce
- Land Access
- Zoning & Land Use

www.chescofarming.org/AgPlan/

ACTIONS FOR **Chester County Municipalities**

Chester County municipalities are critical partners in implementing the *Agricultural Economic Development Strategic Plan*. Enclosed are the specific actions listed in the plan that municipalities could play a key role in implementing. Some of these actions are intended to be led by municipalities, and others may involve a partnership with another organization.



Please contact the **Ag Council** with questions.

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Agricultural Economic Development Strategic Plan

Executive Summary

Agriculture is a significant part of Chester County’s heritage, culture, and landscape. It is also part of the county’s identity and sense of place. Despite intensifying competition for land uses over the years, agriculture has continued to be vibrant and strong. It not only is a major contributor to the local economy but provides environmental and social benefits.

With the county becoming even more developed over the last decade, agriculture faces continued growth pressures and new challenges. These issues include a lack of understanding or support from the public, difficult municipal regulatory environments, lack of a ready workforce, high costs of doing business, limited access to agricultural land, and more.

At the same time, there are opportunities that can spur growth and innovation. These opportunities leverage the county’s existing assets and competitive advantages to strengthen the workforce, modernize infrastructure, attract and grow new businesses, and increase access to agricultural markets.

Some of the exciting ideas include creating a culinary center that draws tourists and the public to learn about food and agriculture through experiences; developing industrial hemp products through partnerships with universities and farmers; exploring opportunities for timber and biochar; helping farms prepare for ESG (Environmental, Social, and Governance) mandates and enhancing their ability to sell carbon credits; and forming collaborations between farms, land trusts, and environmental groups to demonstrate agriculture’s positive environmental contributions.

Whether it is mitigating concerns or making the most of opportunities, the county needs a plan to guide its agricultural economy into the future. The *Chester County Agricultural Economic Development Strategic Plan (AEDSP)* is that guide. It is a comprehensive plan that outlines how to sustain and grow a successful agricultural economy in the face of growth pressures, industry challenges, and limited resources.

This plan focuses on six strategic areas:

- Agricultural Markets
- Business & Financing
- Education & Outreach
- Labor & Workforce
- Land Access
- Zoning & Land Use

While each strategic area is distinct, there are overlaps among the 32 total recommendations. Altogether, these encompass a holistic and integrated approach that reflect what matters to farmers and agribusinesses. The strategies also align with several fundamental goals:

- **Mitigate issues that limit industry growth.**
- **Harness opportunities that grow the agricultural economy.**
- **Increase employment opportunities at all skill levels.**
- **Remain a top agricultural-producing county in PA for years to come.**
- **Maximize county, local, and regional resources to support industry growth.**

It is important to note that partnerships, collaborations, and leadership in addition to county government are essential for the successful implementation of the plan. Farms, private businesses, industry associations, non-governmental organizations, and research institutions all have significant roles to play.

Moreover, several recommendations will create impacts that go well beyond the county’s borders. As such, the plan proposes the notion of developing a new entity that will have greater flexibility to coordinate implementation.

After reading the plan, we hope the reader will better understand the issues and challenges that affect agriculture, appreciate its multifaceted contributions, and recognize why it needs to be supported. Finally, we hope the opportunities and recommendations inspire action to ensure agriculture remains a leading sector in Chester County for years to come.

Actions for Municipalities



Agricultural Markets

Recommendations to increase access to existing and new markets.

Recommendation #7

Support Growth of Urban Agriculture

Support the growth of urban agriculture through infrastructure, technical assistance, workforce development, and cooperative efforts. In particular, there should be a focus on urban farms engaged in hydroponics, aquaponics, horticulture, beekeeping, mushrooms, small livestock, and composting.

Why Now:

Urban agriculture, indoor farming, and vertical farming are expected to be important parts of the urban food system in the future. Indeed, interviews indicate that there is interest from large indoor farming operations that are looking to locate in Chester County. There are also existing urban farms that are looking to expand. Attracting and keeping these businesses will require ensuring that zoning codes and incentives are aligned. Moreover, there is a need for workforce development programs that prepare people for work in these operations.

ACTIONS for Chester County Municipalities	Lead Partners	Priority
<p>A. Modify zoning codes to allow for urban agriculture in existing zones or as an overlay zone. See <i>Urban Agriculture - A Guide for Municipalities</i> prepared by the University of Pittsburgh Institute of Politics.</p>	<ul style="list-style-type: none"> • CC Planning Commission and Ag Council • Municipalities 	<p>Moderate</p>
<p>B. Modify comprehensive plan to incorporate urban agriculture as part of the landscape and mixed-use development.</p>		



Business and Financing

Recommendations to increase the success and profitability of farms and agribusinesses, as well as ways to build an innovation culture.

Recommendation #4

Support Municipal-Level Agribusiness Retention, Expansion, and Recruitment

Ensure cluster of support services are available for farms to build an attractive business environment.

Why Now:

It is important to retain and attract businesses that provide support services for farms. This includes tractor dealerships, farm equipment repair, farm supply stores, food processors, and logistics services. This can be accomplished by creating an attractive local business environment through the following action items.

ACTIONS for Chester County Municipalities	Lead Partners	Priority
<p>A. Support the improvement of local traffic conditions through:</p> <ul style="list-style-type: none"> • Traffic alerts for agricultural activity. • Large farm equipment escorts. • Road and parking solutions. 	<ul style="list-style-type: none"> • CCEDC / AgConnect • CC Planning Commission • Municipalities 	Moderate
<p>B. Streamline zoning, permitting, and licensing processes to expedite project development.</p>		
<p>C. Identify suitable locations for siting processing, distribution, and logistics infrastructure.</p>		
<p>D. Conduct analysis to determine strategic locations for infrastructure.</p>		



Labor and Workforce

Recommendations that improve workforce opportunities, capacity, availability, and readiness in the agricultural sector.

Recommendation #5

Address Agricultural Labor Availability

Improve conditions of chronic labor shortages by addressing issues related to labor housing, transportation, recruitment, and resource sharing.

Why Now:

The cost of housing and renting in the region is high. This is another factor that makes it difficult to attract agricultural workers. In addition, those that hire H-2A workers may have trouble providing housing, which can limit the number of seasonal workers. For some sectors, this leads to workers living farther away from the place of work. Unfortunately, some of these places have few public transit routes, which can increase commuting costs. As such, strategies should be employed to make it easier to establish temporary housing, increase access to agricultural labor housing, or improve transportation options.

ACTIONS for Chester County Municipalities	Lead Partners	Priority
A. Simplify process or offer exemptions for developing housing for agricultural labor.	<ul style="list-style-type: none"> • Chester County Workforce Development Board • Delaware Valley Regional Planning Commission • CC Planning Commission • SEPTA • CCEDC / AgConnect • TMACC • Municipalities 	Moderate
B. Improve transportation accessibility.		



Zoning and Land Use

Recommendations that address challenges associated with active agriculture, the impacts of local regulations, and the conflicts between agricultural and non-agricultural land uses.

Recommendation #1

Encourage Ag-Friendly Development Policies

Minimize development pressure on highly productive agricultural soils, reduce farmland fragmentation, and support farming as an important part of the landscape.

Why Now:

The amount of farmland is in decline. The situation is driven by economics, business decisions to close, and development pressure. Between 2002 and 2017 there was a 14% decrease in the number of farms and a 10% drop in farmland acres. As available farmland decreases, it becomes increasingly difficult to find land for expansion or for rent. As such, there is a need for policies that help preserve highly productive agricultural soils and reduce farmland fragmentation.

ACTIONS for Chester County Municipalities	Lead Partners	Priority
A. Encourage high-density along designated growth and urban areas.	• CC Planning Commission and Ag Council	High
B. Encourage cluster development that leaves agriculturally productive parcels.	• CCATO • Municipalities	
C. Encourage greater mixed-use zoning.		

Recommendation #2

Encourage Ag-Friendly Zoning Appropriate for the Community Context

Support flexible and appropriate zoning at the community level that also accommodates current and future needs of agriculture.

Why Now:

Zoning can either create opportunities or place barriers to farming. When zoning ordinances are onerous and inflexible for agricultural operations, it makes it more difficult for these businesses to thrive or adapt. For example, farms looking to engage in value-added processing or agritourism activity may be limited in places where farms are in a R or AR zone.

ACTIONS for Chester County Municipalities	Lead Partners	Priority
A. Expand the definition of agriculture.	• CC Planning Commission and Ag Council	High
B. Encourage expanded allowed uses and accessory uses (e.g., processing, forestry, bioenergy, agritourism, labor housing, retail, etc.).	• CCATO • Municipalities	
C. Support greater right-to-farm protections.		
D. Encourage greater use allowances for CEA, indoor agriculture, and urban agriculture.		
E. Minimize process for standard agricultural infrastructure.		
F. Simplify process for developing agricultural labor housing.		
G. Identify NAOs (normal agriculture operations).		
H. Cooperate with home builders and the agriculture industry.		

Recommendation #3

Incentivize Inter-Jurisdictional Collaboration

Induce inter-jurisdictional collaboration using economic incentives to reduce conflicting land-use regulations and improve the use of agribusiness retention, expansion, and attraction tools.

Why Now:

Land-use regulations, business support practices, and messaging about agricultural practices vary widely across municipalities. Since many farms operate in more than one township, these differences can cause significant disruption to both community relationships as well as farm operations. Multi-municipality planning has also proven to be effective in the region and is applicable in this setting.

ACTIONS for Chester County Municipalities	Lead Partners	Priority
A. Encourage inter-jurisdictional agricultural overlay zones, pioneering the practice in the county.	• CC Planning Commission and Ag Council • CCATO	High
B. Collaborate with Chesapeake Bay programs to increase plain sect participation.	• CC Parks + Preservation • Municipalities • SWCD	
C. Develop shared tools and guidelines to assist with agritourism and neighbor relations.		
D. Collaborate to improve equine trail access.		

Recommendation #5

Improve Road Conditions

Enable a safer road environment for both agricultural and non-agricultural vehicles.

Why Now:

Agriculture faces various challenges regarding road conditions. Narrow roads or turns, roadside trees, and solid curb sides make it difficult for farm equipment to maneuver safely. Also, when drivers do not understand or respect the nature of rural roads, accidents are prone to occur. Numerous interviews confirm that farms frequently deal with road issues, which will require concerted and collaborative efforts to resolve.

ACTIONS for Chester County Municipalities	Lead Partners	Priority
A. Develop standards for accommodating modern agricultural equipment and needs of the plain sect community.	• PennDOT • CC Planning Commission and Ag Council • CCATO • Municipalities	Medium



Chester County
Ag Council





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April 21, 2023

Amanda M. Cantlin, Municipal Manager
East Bradford Township
676 Copeland School Road
West Chester, PA 19380

RE: Strengthening our Agricultural Community

Dear Ms. Cantlin,

The Chester County Ag Council, a county advisory board dedicated to improving agriculture, has begun offering guidance to local municipalities on assessing the impact of municipal regulations on agricultural economic development. The intention of this new initiative, which was identified in the County's *Agricultural Economic Development Strategic Plan*, is to encourage a thriving agricultural industry and help keep the county's sense of place. The Ag Council can help inform local decision makers of how the modern agricultural industry works and how you can best support and grow it in your municipality, keeping cost of services lower and securing a strong tax base.

As a preliminary step, we have reviewed the township's zoning ordinance in relation to agriculture and note that it specifically permits agricultural uses in the R-1 Residential District. For more comprehensively supporting agriculture, here are a few additional standards you may want to consider:


- Create a Designated Agricultural Zoning District. The 2016 East Bradford Township Comprehensive Plan's Future Land Use Map designates a number of parcels for agricultural use, and the township might want to create a special agricultural zoning district for these parcels. The creation of an agricultural zoning district can provide farmers and other Township residents with predictable regulations and can reduce land use conflicts.
- Emphasize Support for Commercial Agricultural Activities and Industry. The Township may want to review the policies in the Comprehensive Plan and the intent statements in the Zoning Ordinance to ensure that they emphasize and sustain agricultural resources and industries.
- Protect Farms from Non-Farm Land Uses. The Township could consider requiring non-farm land uses such as residential developments to provide additional setbacks and screening from adjacent agricultural areas.
- Controlled Environment Agriculture. Indoor agriculture, also known as Controlled Environment Agriculture, is a modern practice that takes place in warehouse type buildings. The Township might want to add this use to its industrial and commercial zoning districts.
- Agritainment. Farms that sell directly to the public often use agritainment (corn mazes, petting zoos, hay tunnels, hayrides, entertainers, etc.) to attract customers. The township might want to allow agritainment as an accessory use.

If you have questions about how your planning documents could be changed to support the agricultural community in East Bradford, please feel free to contact Wes Bruckno, the senior planner at CCPC who conducted the analysis of your ordinances. Wes can be contacted at wbruckno@chesco.org. In addition, you may want to touch base with Chris Patriarca, the community planner here at the Chester County Planning Commission who is preparing your updated zoning ordinance, with any questions.

Finally, the Ag Council provides a wide range of information about the agricultural industry that might be of interest to you, much of which is posted on the ADC website, chescofarming.org. Ann Lane, the ADC program coordinator and information specialist, can answer specific questions you have about the agricultural industry in Chester County. Ann can be contacted at alane@chesco.org.

It's great to see that East Bradford has retained its rural character, and we hope it will continue to do so into the foreseeable future.

Sincerely,



Brian N. O'Leary, AICP
Executive Director

Cc: Wes Bruckno, CCPC
Ann Lane, ADC
William Deguffroy, CCPC
Chris Patriarca, CCPC

Enclosure

BNO/bac



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April 21, 2023

Deborah J. Kinney, Municipal Secretary/Treasurer
Lower Oxford Township
220 Township Road
Oxford, PA 19363

RE: Strengthening our Agricultural Community

Dear Ms. Kinney,

The Chester County Ag Council, a county advisory board dedicated to improving agriculture, has begun offering guidance to local municipalities on assessing the impact of municipal regulations on agricultural economic development. The intention of this new initiative, which was identified in the County's *Agricultural Economic Development Strategic Plan*, is to encourage a thriving agricultural industry and help keep the county's sense of place. The Ag Council can help inform local decision makers of how the modern agricultural industry works and how you can best support and grow it in your municipality, keeping cost of services lower and securing a strong tax base.

As a preliminary step, we have reviewed the township's zoning ordinance in relation to agriculture and note that Lower Oxford has a number of good standards that support agriculture and its needs, such as the family farm business and school option and the farm product sales use. There are additional standards you may want to consider, such as:

- Community Objectives. The township might want to add a section to the zoning's community objectives section that supports agriculture and the preservation of agricultural land.
- Agricultural District and Uses. The township could create a zoning district where agriculture is expected to be the primary use and residential development is relatively limited. In addition, agriculture could be added as a permitted use to all zoning districts.
- Controlled Environment Agriculture. Indoor agriculture, also known as Controlled Environment Agriculture, is a modern practice that takes place in warehouse type buildings. The township might want to add this use to its industrial and commercial zoning districts.
- Agritainment. Farms that sell directly to the public often use agritainment (corn mazes, petting zoos, hay tunnels, hayrides, entertainers, etc.) to attract customers. The township might want to allow agritainment as an accessory use.

April 21, 2023

Page 2 of 2

Strengthening our Agricultural Community

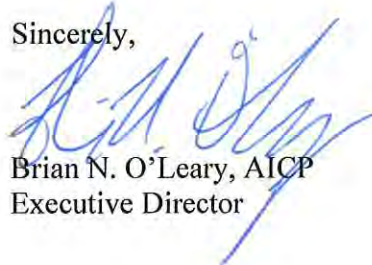
- Secondary Farm Businesses. Through your family farm business and school option, the township already allows secondary farm businesses. It could be worthwhile to meet with the farming community to see how these provisions are working for them.

If you have questions about how your zoning regulations could be changed to support the agricultural community in Lower Oxford, please feel free to contact Wes Bruckno, the senior planner at CCPC who conducted the analysis of your ordinances. Wes can be contacted at wbruckno@chesco.org. In addition, you may want to touch base with Mark Gallant, the community planner here at the Chester County Planning Commission who helps administer the Oxford Region Planning Committee, with any questions.

Finally, the Ag Council provides a wide range of information about the agricultural industry that might be of interest to you, much of which is posted on the ADC website, chescofarming.org. Ann Lane, the ADC program coordinator and information specialist, can answer specific questions you have about the agricultural industry in Chester County. Ann can be contacted at alane@chesco.org.

It's great to see that Lower Oxford has retained its strong agricultural industry, and we hope it will continue to do so into the foreseeable future.

Sincerely,



Brian N. O'Leary, AICP
Executive Director

Cc: Wes Bruckno, CCPC
Ann Lane, ADC
William Deguffroy, CCPC
Mark Gallant, CCPC

Enclosure

BNO/bac



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April 21, 2023

Ms. Gail Abel, Municipal Secretary/Treasurer
Newlin Township
1751 Embreeville Road
Coatesville, PA 19320

Dear Ms. Abel,

The Chester County Ag Council, a county advisory board dedicated to improving agriculture, has begun offering guidance to local municipalities on assessing the impact of municipal regulations on agricultural economic development. The intention of this new initiative, which was identified in the County's *Agricultural Economic Development Strategic Plan*, is to encourage a thriving agricultural industry and help keep the county's sense of place. The Ag Council can help inform local decision makers of how the modern agricultural industry works and how you can best support and grow it in your municipality, keeping cost of services lower and securing a strong tax base.

As a preliminary step, we have reviewed the township's zoning ordinance in relation to agriculture and note that Newlin has a number of good standards that support agriculture and its needs, such as a strong Agricultural Preservation District, and allowing accessory housing for farm workers and farm-related support businesses. There are additional standards you may want to consider, such as:

- Additional Regulations for Non-Farm Dwellings. The Township may want to regulate non-farm dwellings by special exception or conditional use to ensure that the primary agricultural activities in the Agricultural Preservation District are protected from incompatible development.
- Allowing Accessory Housing for Farm Workers. The Township may want to clarify whether it will allow farms to provide housing for on-site workers. This can help farms attract employees and provide them with affordable housing opportunities.
- Controlled Environment Agriculture. Indoor agriculture, also known as Controlled Environment Agriculture, is a modern practice that takes place in warehouse type buildings. The Township might want to add this use to its industrial and commercial zoning districts.
- Agritainment. Farms that sell directly to the public often use agritainment (corn mazes, petting zoos, hay tunnels, hayrides, entertainers, etc.) to attract customers. The Township might want to allow agritainment as an accessory use, or regulate it within an expansion of the "Mass Outdoor Gathering" special exception in Section 618 of the Zoning Ordinance.

If you have questions about how your zoning regulations could be changed to support the agricultural community in Newlin, please feel free to contact Wes Bruckno, the senior planner at CCPC who conducted the analysis of your ordinances. Wes can be contacted at wbruckno@chesco.org. In addition, you may want to touch base with the county community

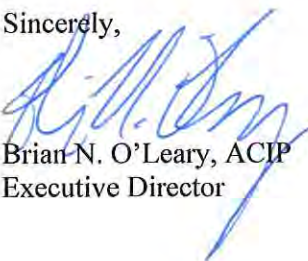
April 21, 2023
Page 2 of 2
Strengthening our Agricultural Community

planner who is monitoring your multi-municipal comprehensive plan, the Unionville Area Regional Comprehensive Plan, with any questions.

Finally, the Ag Council provides a wide range of information about the agricultural industry that might be of interest to you, much of which is posted on the ADC website, chescofarming.org. Ann Lane, the ADC program coordinator and information specialist, can answer specific questions you have about the agricultural industry in Chester County. Ann can be contacted at alane@chesco.org.

It's great to see that Newlin has retained its agricultural character, and we hope it will continue to do so into the foreseeable future.

Sincerely,



Brian N. O'Leary, ACIP
Executive Director

Cc: Wes Bruckno, CCPC
Ann Lane, ADC
William Deguffroy, CCPC

Enclosure

BNO/bac



THE COUNTY OF CHESTER



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Executive Director

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(610) 344-6285 Fax (610) 344-6515

April 21, 2023

Mr. Tom Siedenbuehl, Municipal Manager
West Caln Township
721 West Kings Highway
Wagontown, PA 19376

Dear Mr. Siedenbuehl,

The Chester County Ag Council, a county advisory board dedicated to improving agriculture, has begun offering guidance to local municipalities on assessing the impact of municipal regulations on agricultural economic development. The intention of this new initiative, which was identified in the County's *Agricultural Economic Development Strategic Plan*, is to encourage a thriving agricultural industry and help keep the county's sense of place. The Ag Council can help inform local decision makers of how the modern agricultural industry works and how you can best support and grow it in your municipality, keeping cost of services lower and securing a strong tax base.

As a preliminary step, we have reviewed the township's zoning ordinance in relation to agriculture and note that West Caln has a number of good standards that support agriculture and its needs, such as a strong Agricultural Preservation district, permitting agricultural uses by-right, and allowing farm-related support businesses and regulations that recognize the special needs of agricultural activities. There are additional standards you may want to consider, such as:

- Emphasize Support for Agricultural Industry. The Township may want to review the policies in the Comprehensive Plan and the intent statements in the Zoning Ordinance to ensure that they emphasize and sustain agricultural industries. Such industries should be regarded as an important land use, just as commercial and industrial activities are promoted.
- Protect Farms from Non-Farm Land Uses. The Township could consider requiring non-farm land uses such as residential developments to provide additional setbacks and screening from adjacent agricultural areas.
- Controlled Environment Agriculture. Indoor agriculture, also known as Controlled Environment Agriculture, is a modern practice that takes place in warehouse type buildings. The Township might want to add this use to its industrial and commercial zoning districts.
- Agritainment. Farms that sell directly to the public often use agritainment (corn mazes, petting zoos, hay tunnels, hayrides, entertainers, etc.) to attract customers. The township might want to allow agritainment as an accessory use.

If you have questions about how your zoning regulations could be changed to support the agricultural community in West Caln, please feel free to contact Wes Bruckno, the senior planner at CCPC who conducted the analysis of your ordinances. Wes can be contacted at wbruckno@chesco.org. If you will be working with the Chester County Planning Commission

April 21, 2023

Page 2 of 2

Strengthening our Agricultural Community

(CCPC) on a comprehensive plan or zoning ordinance in the near future, we encourage discussion with your CCPC consultant about updating your agriculture-related zoning provisions.

Finally, the Ag Council provides a wide range of information about the agricultural industry that might be of interest to you, much of which is posted on the ADC website, chescofarming.org. Ann Lane, the ADC program coordinator and information specialist, can answer specific questions you have about the agricultural industry in Chester County. Ann can be contacted at alane@chesco.org.

It's great to see that West Caln has retained its strong agricultural industry, and we hope it will continue to do so into the foreseeable future.

Sincerely,



Brian N. O'Leary, ACIP
Executive Director

Cc: Wes Bruckno, CCPC
Ann Lane, ADC
William Deguffroy, CCPC

Enclosure

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THE COUNTY OF CHESTER



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April 21, 2023

Ms. Deborah M. Kolpak, Municipal Secretary/Treasurer
West Nantmeal Township
455 North Manor Road
Elverson, PA 19520

RE: Strengthening our Agricultural Community

Dear Ms. Kolpak,

The Chester County Ag Council, a county advisory board dedicated to improving agriculture, has begun offering guidance to local municipalities on assessing the impact of municipal regulations on agricultural economic development. The intention of this new initiative, which was identified in the County's *Agricultural Economic Development Strategic Plan*, is to encourage a thriving agricultural industry and help keep the county's sense of place. The Ag Council can help inform local decision makers of how the modern agricultural industry works and how you can best support and grow it in your municipality, keeping cost of services lower and securing a strong tax base.

As a preliminary step, we have reviewed the township's zoning ordinance in relation to agriculture and note that West Nantmeal has a number of good standards that support agriculture and its needs, such as permitting agricultural uses by-right, allowing farm-related support businesses and regulations that recognize the special needs of agricultural activities. There are additional standards you may want to consider, such as:

- Allowing Accessory Housing for Farm Workers. The Township may want to allow farms to provide housing for on-site workers. This can help farms attract employees and provide them with affordable housing opportunities.
- Controlled Environment Agriculture. Indoor agriculture, also known as Controlled Environment Agriculture, is a modern practice that takes place in warehouse type buildings. The Township might want to add this use to its industrial and commercial zoning districts.
- Agritainment. Farms that sell directly to the public often use agritainment (corn mazes, petting zoos, hay tunnels, hayrides, entertainers, etc.) to attract customers. The township might want to allow agritainment as an accessory use.

If you have questions about how your zoning regulations could be changed to support the agricultural community in West Nantmeal, please feel free to contact Wes Bruckno, the senior planner at CCPC who conducted the analysis of your ordinances. Wes can be contacted at wbruckno@chesco.org. If you will be working with the Chester County Planning Commission (CCPC) on a comprehensive plan or zoning ordinance in the near future, we encourage discussion with your CCPC consultant about updating your agriculture-related zoning provisions.

April 21, 2023

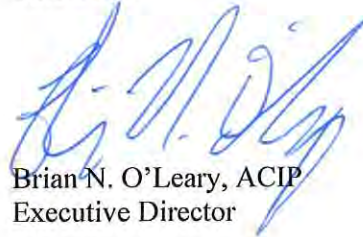
Page 2 of 2

Strengthening our Agricultural Community

Finally, the Ag Council provides a wide range of information about the agricultural industry that might be of interest to you, much of which is posted on the ADC website, chescofarming.org. Ann Lane, the ADC program coordinator and information specialist, can answer specific questions you have about the agricultural industry in Chester County. Ann can be contacted at alane@chesco.org.

It's great to see that West Nantmeal has retained its strong agricultural industry, and we hope it will continue to do so into the foreseeable future.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brian N. O'Leary".

Brian N. O'Leary, ACIP
Executive Director

Cc: Wes Bruckno, CCPC
Ann Lane, ADC
William Deguffroy, CCPC

Enclosure

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THE COUNTY OF CHESTER



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April 21, 2023

Patti Piersol, Municipal Secretary/Treasurer
West Sadsbury Township
6400 North Moscow Road
Parkesburg, PA 19365

RE: Strengthening our Agricultural Community

Dear Ms. Piersol,

The Chester County Ag Council, a county advisory board dedicated to improving agriculture, has begun offering guidance to local municipalities on assessing the impact of municipal regulations on agricultural economic development. The intention of this new initiative, which was identified in the County's *Agricultural Economic Development Strategic Plan*, is to encourage a thriving agricultural industry and help keep the county's sense of place. The Ag Council can help inform local decision makers of how the modern agricultural industry works and how you can best support and grow it in your municipality, keeping cost of services lower and securing a strong tax base.

As a preliminary step, we have reviewed the township's zoning ordinance in relation to agriculture and note that West Sadsbury has a number of good standards that support agriculture and its needs, such as a strong Agricultural Preservation district, permitting agricultural uses by-right, and allowing farm-related support businesses and regulations that recognize the special needs of agricultural activities. There are additional standards you may want to consider, such as:

- Emphasize Support for Agricultural Industry. The Township may want to review the policies in the Comprehensive Plan and the intent statements in the Zoning Ordinance to ensure that they emphasize and sustain agricultural industries. Such industries should be regarded as an important land use, just as commercial and industrial activities are promoted.
- Protect Farms from Non-Farm Land Uses. The Township could consider requiring non-farm land uses such as residential developments to provide additional setbacks and screening from adjacent agricultural areas.
- Controlled Environment Agriculture. Indoor agriculture, also known as Controlled Environment Agriculture, is a modern practice that takes place in warehouse type buildings. The Township might want to add this use to its industrial and commercial zoning districts.
- Agritainment. Farms that sell directly to the public often use agritainment (corn mazes, petting zoos, hay tunnels, hayrides, entertainers, etc.) to attract customers. The township might want to allow agritainment as an accessory use.

If you have questions about how your zoning regulations could be changed to support the agricultural community in West Sadsbury, please feel free to contact Wes Bruckno, the senior planner at CCPC who conducted the analysis of your ordinances. Wes can be contacted at

April 21, 2023
Page 2 of 2
Strengthening our Agricultural Community

wbruckno@chesco.org. In addition, you may want to touch base with Kate Clark, the community planner here at the Chester County Planning Commission who is preparing your new comprehensive plan, with any questions.

Finally, the Ag Council provides a wide range of information about the agricultural industry that might be of interest to you, much of which is posted on the ADC website, chescofarming.org. Ann Lane, the ADC program coordinator and information specialist, can answer specific questions you have about the agricultural industry in Chester County. Ann can be contacted at alane@chesco.org.

It's great to see that West Sadsbury has retained its strong agricultural industry, and we hope it will continue to do so into the foreseeable future.

Sincerely,



Brian N. O'Leary, ACIP
Executive Director

Cc: Wes Bruckno, CCPC
Ann Lane, ADC
William Deguffroy, CCPC
Kate Clark, CCPC

Enclosure

BNO/bac



THE COUNTY OF CHESTER



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Michelle Kichline

Brian N. O'Leary, AICP
Executive Director

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(610) 344-6285 Fax (610) 344-6515

March 24, 2023

Kenneth N. Battin, EFO, MPA, Manager
London Grove Township
372 Rose Hill Road Suite 100
West Grove, PA 19390

Re: Zoning Ordinance Amendment – Amendment Revisions
London Grove Township - ZA-03-23-17581

Dear Mr. Battin:

The Chester County Planning Commission has reviewed the proposed Zoning Ordinance Amendment as submitted pursuant to the provisions of the Pennsylvania Municipalities Planning Code, Section 609(e). The referral for review was received by this office on March 6, 2023. We offer the following comments to assist in your review of the proposed Zoning Ordinance Amendment.

DESCRIPTION:

1. The Township proposes the following amendments to its Zoning Ordinance:
 - A. Adding a definition for the term “Agricultural – Extensive” to Section 27-202
 - B. Revising the definitions of Special Event, and Kennel (Commercial) in Section 27-202.
 - C. Adding a non-family care giver to persons considered a "Qualified Family member" in the language regulating Accessory Dwelling Units in Section 27-303.6.

BACKGROUND:

2. The Chester County Planning Commission has recently reviewed a series of zoning ordinance amendment for London Grove Township, the most recent review, CCPC# ZA-01-23-17523, was dated February 10, 2023. The current submission addresses specific issues identified in our previous review.

COMMENTS:

3. We reiterate our concern with regard to use of the terms “Intensive and Extensive Agriculture” as used in the zoning ordinance. The Township Solicitor should review the use of these terms and case law involving this terminology and the State Attorney General’s actions related to the ACRE legislation.
4. We note that the revisions proposed in this amendment were mentioned in our previous review and we acknowledge the Township’s consideration of our comments and its response.

Page: 2


Re: Zoning Ordinance Amendment – Amendment Revisions

London Grove Township - ZA-03-23-17581

RECOMMENDATION: The Township should consider the comments in this letter before acting on the proposed zoning ordinance amendment.

We request an official copy of the decision made by the Township Supervisors, as required by Section 609(g) of the Pennsylvania Municipalities Planning Code. This will allow us to maintain a current file copy of your ordinance.

Sincerely,

A handwritten signature in black ink, appearing to read "Glenn Bentley", with a long horizontal flourish extending to the left.

Glenn Bentley
Senior Review Planner

LONDON GROVE TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. ____ – 2023

AN ORDINANCE OF THE TOWNSHIP OF LONDON GROVE, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE LONDON GROVE TOWNSHIP ZONING ORDINANCE OF 2017, AS AMENDED IN ORDINANCE NO. 213 ADOPTED ON OCTOBER 3, 2018 TO AMEND THE DEFINITION OF SPECIAL EVENT IN SECTION 27-202; TO ADD A DEFINITION FOR LIVESTOCK IN SECTION 27-202; TO AMEND THE REGULATIONS FOR THE AP AGRICULTURAL PRESERVATION DISTRICT IN PART 3, SECTIONS 27-301 THROUGH 27-303; TO DELETE SECTION 27-304; TO AMEND SECTION 27-1832 REGARDING KEEPING OF ANIMALS, TO ADD A NEW SECTION 27-1845 TO ESTABLISH STANDARDS FOR SPECIAL EVENTS; TO ADD A NEW SECTION 27-1846 TO ESTABLISH STANDARDS FOR A LIMITED WINERY USE; TO AMEND SECTIONS 27-502.G AND 27-1202.L TO MAKE REFERENCE TO THE NEW STANDARDS FOR A LIMITED WINERY IN SECTION 27-1846.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of London Grove Township that the London Grove Township Zoning Ordinance of 2017, as amended, is hereby further amended as follows:

SECTION 1. The definitions of “Special event” and “Agricultural-extensive” in Section 27-202 shall be revised as follows:

“**SPECIAL EVENT** - a special event shall be an activity open to the general public or a specialized segment thereof wherein admission thereto is by advertisement or invitation (whether or not a fee is charged therefore). No lot shall be used for special events more than four times in any calendar year. Special events include, but are not limited to, the sale of items or services such as carnivals, the conduct of flea markets, the providing of lawful games of chance and activities constituting competition with awards of prizes. Excluded from the definition of “special event” are private parties by invitation at which no admission charge is made, liquidation sales, church or school gatherings or events at institutions having permanent facilities designed for such events, such as stadiums, auditoriums, restaurant or commercial establishments.”

AGRICULTURAL-EXTENSIVE - extensive agriculture shall be deemed to include the customary growing of crops and raising of livestock for production of meat, dairy products, skins and like activities such as horticulture and viticulture, excluding intensive agriculture as hereinafter defined. Extensive agriculture envisions a demand for substantial areas of land and, by reason of disbursed activity it generally will present few unusual environmental problems, such as runoff, animal waste concentrations and the like. This term shall include rescue operations for livestock.

SECTION 2. The following definitions shall be added to Section 27-202:

ADULT ANIMAL – an animal having reached maturity.

EXOTIC WILDLIFE - Wild, dangerous and/or exotic non domesticated animals, including but not limited to bears, coyotes, foxes, raccoons, lions, tigers, wolves, and similar animals, as defined in the Game and Wildlife Code, Act 93 of 1986, or amendments thereof, as "exotic wildlife" or "wildlife".

FOWL - Chickens, guinea hens, peacocks, ducks, geese, turkeys and the like.

KENNEL (COMMERCIAL) - Any lot, building, structure, enclosure, or premises where six or more dogs over six months of age are kept for commercial or rescue purposes, including boarding, breeding, wholesale and retail of goods or animals, or the rendering of services for profit or not for profit in the case of a rescue, or any facility which is classified as a regulated business by the Commonwealth of Pennsylvania.

KENNEL (PRIVATE) - A shelter at or adjoining a private residence where less than 10 dogs over six months of age are bred and/or kept for hunting, training, and exhibition for organized shows, field, working and/or obedience trials, or for the enjoyment of an identifiable species of dog with no wholesaling of animals.

LIVESTOCK – Animals raised, stabled, fed or maintained on an agricultural operation with the purpose of generating income or providing work, recreation or transportation. Examples include: dairy cows, beef cattle, goats, sheep, swine and horses.

PET ANIMAL - Dogs, cats, rabbits, guinea pigs, rodents, birds, reptiles, and other species of animal that may be restrained by a leash, or by holding the animal in the hands, or by having direct supervision and control of the animal.

SECTION 3. Part 3, Sections 27-301 through 27-303 shall be amended as follows:

“Part 3

Agricultural Preservation District (AP)

§27-301. Purpose and Specific Intent

1. The land use and economy of the Agricultural Preservation District is oriented toward agricultural activity. Thus it is the desire and intent to preserve farming as an important economic feature and to maintain viable farmland as an irreplaceable asset. Recognizing the conflicts that can occur when other uses are superimposed upon adjacent farming operations and being desirous of removing development pressures on farming operations, it is the intent of the Board of Supervisors to minimize intrusion into viable farmlands within the Agricultural Preservation District (AP). It is further the intent to permit within this district certain compatible farm service uses and to permit accessory activities to farm operations.

§27-302. Permitted Uses Within AP Lands

Only those uses enumerated under paragraphs A, B, C, and D are permitted and no others.

A. Uses by Right

- (1) Extensive agriculture, subject to the provisions found in other parts of this Chapter.
- (2) Single family detached dwelling.
- (3) Sewage disposal facilities, such as lagoons, tile and spray irrigation fields.
- (4) Municipal use.
- (5) Group home.
- (6) Riding academies, commercial stables and shows and training facilities for livestock, subject to other applicable provisions herein.

B. *Conditional Uses*

- (1) Intensive agriculture uses on lands not within the Ground Water Protection District (see GWP map) are permitted by conditional use within the AP District, subject to other applicable provisions herein. Intensive agriculture uses are not permitted under any circumstances within the Ground Water Protection District.
- (2) Bed and Breakfast Establishments.
- (3) Limited Winery subject to the standards in Section 27-1846.
- (4) Agricultural, Special Purpose Lots utilizing the Lot Averaging provision, subject to the standards found elsewhere herein.

C. *Accessory Uses*

- (1) Food processing provided that it is clearly an accessory use subordinate to existing primary agricultural uses permitted by right and subject to the provisions found herein.
- (2) Single-family detached dwelling as accessory to a bed and breakfast.
- (3) Accessory dwelling units (ADU's), by conditional use and subject to the other applicable provisions herein.
- (4) Agricultural employee housing.
- (5) Farm stands.
- (6) Home Occupations.

§27-303. **Area and Bulk Regulations.**

1. For Extensive Agricultural uses permitted as of right, the following design standards shall apply.

- A. Lot area (minimum) – 10 acres of net lot area; provided that 1.5 contiguous acres may be constrained with private easements, easements for the purposes of access, utility (above or on the ground) or stormwater management including infiltration areas, prohibitive steep slopes, floodplain, floodway, and wetlands as defined by this Chapter.
 - B. Lot width at the building setback line (minimum) – 400 feet.
 - C. Lot width at the street line (minimum) – 200 feet.
 - (1) Interior lot provisions set forth in Section 27-1843 remain applicable.
 - D. Building setback lines for dwellings (minimum) as follows:
 - (1) Front yard – 75 feet
 - (2) Side yard – 25 feet
 - (3) Rear yard – 50 feet.
 - E. The setback for farm buildings or any structure used to house farm animals or to store manure, fertilizer, compost, other odorous materials, or combustible materials (minimum) – 100 feet.
 - F. Setback for all other farm buildings or structures (minimum) in addition to Bulk Area Requirements of this District– 50 feet unless the structure is under 1,200 square feet in which case the setback shall be twenty-five (25') feet minimum.
 - G. Building height (maximum) –three stories or 35 feet maximum, except for barns, silos, water towers, chimneys, windmills, antennas (maximum – 95 feet in height), and silos(maximum height of one hundred twenty (120) feet).
2. For Intensive Agricultural Uses and for the preparation of mushroom growing substrate, the following design standards shall apply:
- A. Intensive agriculture and the preparation of mushroom growing substrate are restricted to

separate tracts of land solely dedicated to the operations and activities of these respective uses. Located on the tract should be all buildings and facilities used in the intensive agriculture and/or preparation of mushrooms growing substrate operation including, but not limited to, buildings, accessory facilities, structures, storage areas, parking, driveways, accessways, wells, sedimentation basins, sewage beds, lagoons, and stormwater management facilities. No Extensive Agricultural lands may be utilized for Intensive Agricultural purposes unless the minimum acreage devoted to Intensive Agricultural uses exceed twenty (20) acres. No parcel less than twenty (20) acres shall be eligible for Intensive Agricultural uses or activities. No subdivision of Intensive Agricultural lands shall be permitted as long as an Intensive Agricultural use or activity exists on the property.

- B. *Expansion.* Any expansion of the use must not encroach on the 100-foot perimeter buffer, except as provided for elsewhere in this Ordinance.
- C. *Adjacent Uses.* Where intensive agricultural activity or mushroom growing substrate activity is employed on the same premises as other activities including extensive agricultural and residential uses, the area dedicated to intensive agriculture or mushroom growing substrate shall be deemed a separate tract of land defined by the outer boundaries of the 100-foot property perimeter buffer surrounding the respective uses.
- D. Area and bulk regulations include:
 - (1) Lot size (minimum) – 20 acres.
 - (2) Perimeter buffer width – 100 feet.
 - (3) Building coverage (maximum) – 30 percent.
 - (4) Impervious coverage (maximum) – 50 percent.

- 3. For Riding Academies, Commercial Stables and Shows and Training facilities for animals, permitted as a conditional use, the following standards shall apply:

- A. Lot size (minimum) – 10 acres of net lot area.
 - B. Perimeter setback (minimum) – 75 feet.
 - C. Building coverage (maximum) – 20 percent.
 - D. Impervious coverage (maximum) – 40 percent.
 - E. Perimeter fencing (minimum) – 4 foot high safety fence; provided that an applicant may provide evidence as part of the conditional use hearing to demonstrate that the proposed use does not require fencing.
4. For Food Processing Facilities, as an accessory use, the following standards shall apply:
- A. Portion of the lot used for food processing (maximum) – 20 percent of net lot area.
 - B. Setback from all lot lines for all food processing facilities (minimum) – 100 feet.
 - C. Setback from all lot lines for outdoor storage and manure and waste piles (minimum) – 100 feet.
 - D. Building coverage (maximum) – 20 percent.
 - E. Impervious coverage (maximum) – 40 percent.
 - F. Building height (maximum) – 35 feet.
5. Agricultural Employee Housing shall be permitted when accessory to permitted intensive and extensive agriculture uses:
- A. Agricultural employee housing shall not be required to be on a severable curtilage from the principal use and shall not be construed to diminish the number of single-family detached dwellings permitted under this Ordinance. Nor shall agricultural employee housing reduce the number of residential subdivisions permitted hereunder.
 - B. Agricultural Employee Housing and mobile homes shall be permitted for the housing of farm workers, subject to the following restrictions:
 - (1) They shall comply as to construction, maintenance and operation with all

requirements of the Pennsylvania Department of Agriculture, the Pennsylvania Department of Labor and Industry; the Pennsylvania Department of Environmental Protection, the Pennsylvania Department of Health, the Chester County Department of Health and all applicable regulations of London Grove Township.

- (2) They shall comply with the general setback regulations for farm buildings and structures as set forth herein.
 - (3) Each unit shall contain kitchen facilities, dining areas, bathrooms and other facilities sufficient to meet the needs of the occupants.
 - (4) There shall be one parking space for each four occupants.
 - (5) Only one mobile home or single family detached dwelling per ten (10) acres of farmed land is permitted.
6. An Accessory Dwelling Unit (ADU) is permitted by conditional use as an independent living unit accessory to a single-family dwelling unit.
- A. An independent living arrangement or ADU is permitted for either of two different conditions:
 - (1) To provide an independent living arrangement for a qualified family member on a single-family lot.
 - (2) To provide an independent living arrangement as an accessory to a single-family dwelling on a lot that is (minimum) twice the base density of the district. (Base density is 10 acres per dwelling unit in the AP District.)
 - B. "Qualified family member" shall be:

- (1) A parent, grandparent, child, sibling of one or more of the occupants of the dwelling unit to which the ADU is accessory.
- (2) Some other person(s) who has for a period of two or more years been residing permanently on the premises as part of the family unit.
- (3) Non-family caregiver who is compensated for providing care to a family member.

C. Additional requirements for ADU's:

- (1) The ADU shall be located on the same lot and clearly accessory and subordinate to the principal dwelling unit, occupying an area no greater than 25% of the primary living area of the principal structure or 1,000 square feet whichever is less.
- (2) No ADU shall be permitted when accessory to a multifamily dwelling or attached dwelling.
- (4) The ADU shall not be located within the front yard of the lot nor within any mandated side or rear yard setback.
- (5) The ADU shall be served by approved water and sewage facilities.
- (6) The applicant shall execute, acknowledge and deliver to the Zoning Officer, contemporaneously with the application for conditional use, a declaration stating:
 - (a) That the application is made for the purposes herein set forth;
 - (b) That the costs incurred are for the purpose of enabling the family to give the requisite care and aid to the occupant;

(c) That the ADU will be removed within 60 days after the termination of occupancy by the qualified family member;

(d) That applicant acknowledges that any expense or hardship incurred in the construction and removal of the ADU is a self-incurred hardship and, therefore, no variance may be obtained to permit the occupancy by other than a qualified family member.

7. Agricultural Special Purpose Lots (utilizing Lot Averaging provisions) as conditional use shall be permitted subject to the provisions found herein:

A. The base acreage or portions thereof shall be divisible by ten (10) acre minimum density provisions required in the AP District. No Parcel less than any portion of land in excess but not meeting the minimum net acreage shall be rounded to the lowest whole number to determine the number of lots which are permitted. For example: if a property is 49.8 acres, the number of permitted lots is four (4).

B. The permitted uses on the remainder of the tract area shall be limited to extensive agriculture, a single family detached residential use, incidental agriculture buildings including one (1) barn, turnout shed or equipment shed but not including other uses by right within the AP District.

C. For parcels less than ten (10) acres which are created the only permitted use shall be for single family detached residential use.

D. The number of lots which are permitted shall be no greater than an overall density of one (1) parcel for each ten (10) acres, however the minimum lot size and development standards shall be in accordance with the following standards:

(1) Lot Area (Minimum)	1.5 acres
net lot area	

- (2) Building Coverage (Maximum)
10 percent
- (3) Total Impervious Coverage
15 percent
- (4) Lot Width at Street Line (Minimum)
50 feet
- (5) Lot Width at Building Line
150 feet
- (6) Setbacks (Minimum)
 - Front Yard - 50 feet
 - Rear Yard - 75 feet
 - Side Yard - 25 feet
- (7) Building Height (Maximum) 35 feet or 3 stories, whichever is less.
- (8) Individual on-site and on-lot sewage system shall be provided.
- (9) Individual on-site and on-lot water supply well shall be provided.

E. The remaining agricultural lands after creation of the permitted lots shall be deed restricted in perpetuity with a conservation easement of which the London Grove Township Board of Supervisors shall be a third party beneficiary. The Board must approve the uses permitted in the easement agreement created over the entirety of all lots created.

8. For Single-Family Dwelling units and Accessory Uses allowed by right and those on non-conforming lots, the following design standards shall apply:

- A. Lot Area (minimum) 1.5 acres of net lot area
- B. Building Coverage (maximum) 10 percent

C. Total Impervious Coverage 15 percent

D. Lot Width at Street Line (minimum) 50 feet

E. Lot Width at Building Line 150 feet

F. Setbacks:

Front Yard - 50 feet

Rear Yard - 75 feet

Side Yard - 25 feet

G. Building Height (maximum) 35 feet or 3 stories (whichever is less)

H. Individual on-site sewage system shall be provided.

I. Individual on-site water supply wells shall be provided.”

SECTION 4. Part 3, Section 27-304 shall be deleted.

SECTION 5. Section 27-1832 titled “Keeping of animals” shall be revised as follows:

“§27-1832. Keeping of Animals.

A. Purpose.

1. This section establishes reasonable regulations governing the keeping of animals in order to protect human and animal health, safety and welfare, prevent unsightly and erosion-prone land use conditions, prevent the contamination of ground and surface waters, and reduce the safety hazards of straying animals.

2. Pet animals, fowl and livestock shall be kept only in accordance with the standards set forth herein.

B. General standards for keeping of animals. The following standards shall apply to all properties in the Township:

- (1) No animals of any kind shall be kept in any structure or enclosure or elsewhere on a property which will result in unhealthy or unsanitary conditions for humans or animals or cause excessive noise,

objectionable odors, or pollution of groundwater or stormwater runoff to neighboring properties and surface waters.

- (2) All animals shall have appropriate and adequate facilities for food and water. Permanent shelter shall be provided for all animals not kept in the residence.
- (3) A fenced or otherwise enclosed outside area shall be provided which is capable of containing any pet animals that are permanently maintained outside on the property. Materials used for fencing shall be of sufficient sturdiness and properly designed, installed and maintained so as to prevent straying.
- (4) Exotic Wildlife shall not be permitted in any district within the Township unless authorized by the Exotic Wildlife Possession Permits section of the Game and Wildlife Code, Act 93 of 1986, or amendments thereto. In the event of such authorization, the permit holder shall comply with all requirements of the Pennsylvania Game Commission. The permit holder shall produce the permit upon request of the Township.
- (5) A private kennel shall be permitted by right in any zoning district on a lot with a minimum of five acres. Such kennels shall comply with the Pennsylvania Dog Law, as amended. A building used for a private kennel shall be set back at least 100 feet from all property boundaries.
- (6) A commercial kennel shall be permitted by conditional use in the AP District on a lot with a minimum of 20 acres. Such kennels shall comply with the Pennsylvania Dog Law, as amended. A building used for a commercial kennel shall comply with the standards in 27-303.
- (7) In the event a homeowner's document, covenant, or other similar document is in place and applicable to a property, whichever contains the most restrictive standard, be it this ordinance or the document, shall prevail.

C. Standards for keeping of animals on properties less than ½ acre. An individual owning ½ acre or less shall comply with the general standards of Subsection C and the following additional regulations.

- (1) Domestic pet canines, domestic cats or other small pet domestic animals of similar character may be kept up to a total not to exceed 3 animals of any combination. No more than one canine may be left outside the home or a soundproof building at night.
- (2) No fowl may be kept.

D. Standards for keeping of animals on properties between ½ acre and 2 acres. An individual owning less than 2 acres but more than ½ acre shall comply

with the general standards of Subsection C and the following additional regulations.

- (1) Domestic pet canines, domestic cats or other small pet domestic animals of similar character may be kept up to a total not to exceed 3 animals of any combination. No more than one canine may be left outside the home or a soundproof building at night
- (2) Five fowl or 10 rabbits and the like may be kept.

E. Standards for keeping of animals on properties between 2 acres and 10 acres. An individual owning less than 10 acres but more than 2 acres shall comply with the general standards of Subsection C and the following additional regulations.

- (1) Adult domestic pet canines, domestic pet cats or other small pet animals of similar character and impact may be kept up to a total not to exceed 6 animals of any combination. No more than one canine may be left outside the home or a soundproof building at night.
- (2) A maximum of 20 fowl, rabbits, guinea pigs or the like may be kept on any parcel greater than 2 acres and less than 10 acres.

F. Standards for keeping of animals on properties 10 acres or greater. An individual owning more than 10 acres shall comply with the general standards of Subsection C and the following:

- (1) No adult domestic canines in excess of those permitted by Subsection F(1) shall be permitted, except in commercial kennels. Such kennels shall only be permitted by conditional use in the AP District subject to the standards in 27-303. The applicant shall prove that soundproofing, waste treatment facilities, food preparation and storage facilities, and running water are provided and that the facility will be landscaped to prevent viewing from public roads or neighboring residences. No more than one canine may be left outside the home or a soundproof building at night.
- (2) A maximum of 30 fowl, rabbits, guinea pigs or the like may be kept on any parcel greater than 10 acres.

G. General standards for keeping of livestock.

- (1) Buildings or structures that house any livestock shall be constructed or placed at least 100 feet from any property line.
- (2) All permanent shelters for livestock shall be designed for ease of manure removal and handling.

- (3) A fenced or otherwise enclosed outside area shall be provided which is capable of containing the livestock and is of sufficient size and properly located for good sanitation practices. Materials used for fencing shall be of sufficient sturdiness and properly designed, installed and maintained so as to prevent straying.
- (4) The owner of any livestock shall provide proof of a written manure management plan or certified nutrient management plan, as applicable, that identifies any animal concentration areas and best management practices as required by the Department of Environmental Protection ("DEP") and DEP's Manure Management Manual.
- (5) The owner of any livestock shall provide proof of a written agricultural erosion and sediment control plan, if required by DEP.
- (6) Manure storage shall be set back a minimum of 100 feet from the property line and shall be designed, constructed, maintained and operated in accordance with the applicable laws and regulations. Permits shall be secured from all governmental agencies having jurisdiction over this activity.
- (7) Livestock that are not kept in the course of a normal agricultural operation as such term is defined pursuant to the Pennsylvania Right to Farm Act, 3 P.S. § 951, *et seq.*, shall not be kept on properties less than one acre.

H. Standards for keeping animals for commercial purposes. The keeping of animals for commercial purposes, including, but not limited to, riding academies, equestrian stables and shows, training facilities for animals, and commercial kennels, shall be permitted in the AP District by conditional use subject to the requirements in 27-303.

I. General standards for keeping of fowl. All fowl shall be kept in a secured enclosure and shall be confined to the property on which their owner resides. The enclosure shall have a minimum of ten (10) square feet per fowl, four walls and a roof, be ventilated, constructed to be raised two (2) feet from the ground, have a minimum of three (3) square feet per fowl, have a secure door or gate closures, attached bottoms or anti-digging devices to prevent escape, and be built in such a manner to prevent access from predators and withstand weather. Any structure housing fowl shall be setback a minimum of 50 feet from any dwelling on an adjacent lot and a minimum of 25 feet from the property boundaries.

SECTION 6. A new Section 27-1845 titled “Standards for Special Events” shall be adopted and provide as follows:

“§27-1845. Standards for Special Events.

A. Intensity of Use – to avoid overcrowding of the land, and provide for adequate parking, staging, and event support facilities and services, Special Events are permitted in the following districts.

(1) Permitted by Right:

- a) Commercial
- b) Industrial
- c) Industrial Special Use

(2) Permitted by Conditional Use:

All other Zoning Districts

(3) Standards Applicable to Special Events Permitted: By Right:

Number of Participants	Minimum Net-Tract	Maximum Events per Calendar Year
0-125	5 Acres	4
125-350	10 Acres	2
350+	20 Acres	1

(4) Standards Applicable to Special Events Permitted: By Conditional Use:

- (a) The minimum tract size shall be five (5) acres.
- (b) The maximum number of participants shall be 125 persons.
- (c) No such event shall occur at a frequency greater than 2 in any 12 month period.
- (d) No service vehicles shall be permitted except between 7 am and 7pm.

- (5) Standards Applicable to All Special Events:
 - (a) Special Events shall comply with the setback provisions in the District within which they are located.
 - (b) Special Events may only occur between 7am and 12 pm. Outdoor amplified music/sound systems must end by 11 pm.
- (6) Other Standards Applicable to Special Events:
 - (a) Special Events shall demonstrate compliance with the following standards and applicable provisions found therein.
 - (i) 27-1807 Outdoor Lighting
 - (ii) 27-1808 General Storage
 - (iii) 27-1816 Fire Protection
 - (iv) 27-1817 Noise
 - (v) 27-1826 Traffic Impact
 - (vi) 27-1827 Utility Impact
 - (b) An applicant seeking approval for a Special Event shall present to the Township a plan demonstrating conformance with the standards set forth herein. The Applicant must also demonstrate compliance with the following:
 - i) Sanitary sewage facilities will be sufficient to accommodate the number of attendees and participants at the event.
 - (ii) Parking facilities will be deemed sufficient to accommodate the number of attendees and participants.
 - (iii) Adequate traffic control measures will be provided.
 - (iv) Adequate plan of trash collection removal and recycling.

SECTION 7. A new Section 27-1846 titled “Standards for Limited Winery Use” shall be adopted and provide as follows:

“§27-1846. Standards for Limited Winery Use.

Limited wineries shall be permitted by right in the Agricultural Preservation (AP), Rural Residential (RR) and Industrial (I) Districts where the primary use is viticulture and subject to the area and bulk requirements for an extensive agricultural use in such districts. Such use must obtain all necessary health, fire safety and building permits and/or licenses and may include the following activities:

- (1) Wine Tasting
- (2) Winery Tours
- (3) Wholesale and retail sales of wine, grapes and related products.
- (4) Picnic area(s) for wine related activities.
- (5) Food preparation facility for on-site catering of on-premises indoor and outdoor events.

SECTION 8. Section 27-502.G shall be amended to state as follows:

“G. Limited winery, subject to the standards in Section 27-1846.”

SECTION 9. Section 27-1202.L shall be amended to state as follows:

“L. Limited winery, subject to the standards in Section 27-1846.”

SECTION 10. SEVERABILITY. 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 hereof. It is hereby declared as the intent of the 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 herein.

SECTION 11. REPEALER. All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 12. EFFECTIVE DATE. This Ordinance shall be effective in five days as provided by law.

ENACTED AND ORDAINED this _____ day of _____, 2023.

ATTEST:

**BOARD OF SUPERVISORS OF
LONDON GROVE TOWNSHIP**

Dawn Maciejczyk, Secretary

BY:

Stephen Zurl, Chairman

Christina Fanning, Vice Chairperson

John Lee Irwin, Member

Kevin Runey, Member

David Connors, Member