

Chapter 500. Zoning

Article VIII. General Regulations

§ 500-808. Accessory uses.

The following accessory uses shall be permitted, subject to the additional requirements herein.

A. Uses accessory to agriculture:

- (1) Greenhouses, barns and machine sheds, preparation of products produced on the premises for sale and/or use at other locations.
- (2) Retail sale of agricultural and/or horticultural products on a minimum tract of five acres in compliance with the following:
 - (a) At least 75% of such products shall have been grown on the property on which they are offered for sale.
 - (b) At least three off-street parking spaces shall be provided, plus one additional space for each 100 square feet of building area over 400 square feet.
 - (c) Buildings, whether permanent or seasonal, shall meet the required setbacks of the district in which they are located, and no parking area, sign, display or other structure shall intrude into the legal right-of-way of any public road. Buildings shall include stands, carts, wagons, sheds or other movable structures.
 - (d) Maximum building coverage for retail sales shall be as follows:
 - [1] Maximum of 500 square feet permitted by right.
 - [2] Maximum of 1,500 square feet may be permitted by conditional use, in compliance with the dimensional standards of § **500-1503** of the CB Commercial Business District for Class Two uses.
 - [3] More than 1,500 square feet shall be considered a principal use and shall be permitted only within the CB Commercial Business District.
 - [4] All structures, including stands, sheds, barns, etc., with customer access shall be included in calculating building coverage.
 - (e) Parking and loading requirements shall comply with Article **IX**, Off-Street Parking, and § **500-1503K**, Minimum setbacks for loading/service areas, of this chapter.
 - (f) Vehicular access and parking shall comply with the requirements of this chapter and Chapter **425**, Subdivision and Land Development for a similar use located in the CB Commercial Business District.
- (3) Keeping of livestock in conjunction with agriculture, in accordance with the following:
 - (a) Livestock and/or other animals may be kept as part of an agricultural operation, without numerical limit, provided that the property on which they are kept is at least 20 acres in

size. For lots less than 20 acres, the number of animals permitted shall comply with the rate standards of § 500-808B(8) herein.

- (b) For any building or other structure housing livestock or poultry, the minimum setback from any property line or ultimate right-of-way line shall be the same as the setback prescribed by the zoning district for the principal building. No building housing livestock or poultry shall be located within 100 feet of any dwelling, except that no minimum separation distance shall be required from the livestock building and a dwelling(s) located on the same property, except as may be required by the Building Code. The area used to keep livestock shall be completely enclosed by a suitable fence.

[Amended 8-14-2001 by Ord. No. 01-08]

- B. Permitted residential accessory uses and structures. The following uses are permitted by right; however, approval as a conditional use by the Board of Supervisors shall be required for uses that exceed the stated capacities or sizes, or that would involve use or storage of items other than those listed:

[Amended 11-14-2000 by Ord. No. 00-5; 8-14-2001 by Ord. No. 01-08; 6-8-2004 by Ord. No. 2004-06; 6-10-2008 by Ord. No. 2008-04; 9-13-2016 by Ord. No. 2016-04]

- (1) Home occupations, subject to the provisions of § 500-809 herein, or which meet the definition of a no-impact home-based business in accordance with the Pennsylvania Municipalities Planning Code.
- (2) Private detached garages and other storage buildings with a building footprint of 400 square feet or greater in accordance with the following:

- (a) R-2 and R-3 Districts:

Lot Size (Gross Area)	Maximum Building Footprint Size¹	Minimum Side and Rear Yard³
(square feet)	(square feet)	(feet)
Up to 9,999	400	10
10,000 to 20,000	500	15
20,000 to 40,000	500	20
40,001 to 45,000	750	25
45,001 to 50,000	800	25
50,001 to 55,000	850	25
55,001 to 60,000	900	25
60,001 to 65,000	950	25
Over 65,000	1,000	25

- (b) R-1 District:

Lot Size (Gross Area)	Maximum Building Size¹	Minimum Side and Rear Yard³
(square feet)	(square feet)	(feet)
65,000 to 85,000	1,400	— ²
85,001 to 100,000	1,600	— ²
100,001 to 120,000	1,800	— ²
Over 120,000	2,000	— ²

NOTES:

NOTES:

- ¹ Buildings proposed in excess of these square-foot limits must have conditional use approval. Lots in the R-1 District with less than 65,000 square feet must use the standards for the R-2 and R-3 Districts above.
 - ² The minimum yards for a garage or other storage building with a building footprint of 400 square feet or greater shall be the same as those required for a principal building in the respective zoning district.
 - ³ If individual zoning district regulations require a greater side and/or rear yard the greater dimension shall be required.
- (c) Conditional use standards and criteria. In considering a conditional use application for a detached garage/storage building, the Board of Supervisors shall consider the following:
- [1] The building footprint of the proposed detached garage/storage building shall not exceed the building footprint of the primary structure on the property.
 - [2] Stormwater management facilities shall be provided for the proposed garage/storage building in accordance with the Upper Hanover Township Stormwater Management Ordinance.^[1]
[1] *Editor's Note: See Ch. 415, Stormwater Management.*
 - [3] The size of the proposed garage/storage building shall be generally compatible with the size of structures in the surrounding neighborhood.
- (3) Private parking spaces, not to exceed four per dwelling unit (not counting garage spaces).
- (4) Shelter for small domestic animals and domestic farm animals as permitted by § 500-808B(8) and (9) herein.
- (5) Noncommercial greenhouse of less than 750 square feet in floor area.
- (6) Storage sheds for garden equipment, household goods, and/or sporting goods owned and used by the residents of the dwelling, with a total combined building footprint area of less than 400 square feet.
- (7) Noncommercial swimming pool or other recreational facilities, excluding facilities for use of motorized recreational vehicles.
- (8) The keeping of domestic farm animals, not in conjunction with agriculture, in accordance with the following:
- (a) Minimum lot size shall be two acres.
 - (b) Building setbacks shall comply with § 500-808A(3) herein.
 - (c) Such animals may be kept at the following rates:

	On a Minimum Two-Acre Lot	For Each Additional Acre*
Horses, cows, or other animals of a similar size	1 animal	1 animal
Sheep, goats, or other animals of a similar size	4 animals	4 animals
Fowl or other animals of a similar size	10 animals	10 animals

NOTE:

- * Up to a maximum of 20 acres.

(9) The keeping of small domestic animals in accordance with the following:

- (a) On lots smaller than one acre, a maximum of four domestic animals may be kept, including not more than three dogs more than six months old, or three cats more than six months old.
- (b) On lots between one and two acres, a maximum of seven small domestic animals may be kept, including not more than three dogs more than six months old or three cats more than six months old.
- (c) On lots a minimum of two acres and greater in size, a maximum of 10 small domestic animals, which may include not more than five dogs more than six months old and not more than five cats more than six months old. Dogs and cats younger than six months may not be kept at the location except for litters born to dogs and cats already kept at the location; animals from such litters may remain in any number until six months old, at which time they are counted in determining compliance with this part.

[Amended 5-8-2018 by Ord. No. 2018-02^[2]]

[2] *Editor's Note: This ordinance also repealed former Subsection B(9)(d), regarding additional animals, which immediately followed.*

(10) Satellite dish or other television or radio antenna, in accordance with the provisions of § 500-826, herein.

(11) Carport.

C. Uses accessory to noncommercial recreational use. Customary recreation, refreshment and service uses and buildings in any noncommercial recreational area.

D. Other accessory uses. Accessory uses other than those listed may be permitted in compliance with the requirements for principal uses in the district in which they are located and which they are accessory to.

E. Accessory buildings.

(1) Private garages shall comply with § 500-808B(2) herein.

[Amended 11-14-2000 by Ord. No. 00-5]

(2) All accessory buildings, regardless of size, are subject to stormwater management controls as deemed necessary by the Township Engineer.

[Amended 11-14-2000 by Ord. No. 00-5]

(3) (Reserved)^[3]

[3] *Editor's Note: Former Subsection E(3), regarding lots greater than three acres of gross area, as amended, was repealed 9-13-2016 by Ord. No. 2016-04. Original section 808.5.D, which immediately followed this subsection, was deleted 6-10-2008 by Ord. No. 2008-04 and the subsequent subsection renumbered to follow consecutively.*

(4) An accessory structure shall be constructed for a specific use incidental to the principal structure. Accessory structures can be built on site or manufactured elsewhere. Accessory structures shall not include truck bodies, gutted mobile homes, used fuel tanks, trailers, box cars, sea containers or similar impermanent or moveable structures which were manufactured for another purpose.

[Amended 9-13-2005 by Ord. No. 2005-10]

F. Off-street parking of commercial vehicles in residential district.

(1) Routine off-street parking of not more than two commercially registered vehicles with not more than four wheels each, which are used regularly or frequently for business purposes, shall be permitted. Routine parking of more than two such vehicles shall constitute a business operation and shall not be permitted in a residential district.

- (2) Routine off-street parking of one commercially registered vehicle with more than four wheels, which is used regularly or frequently for business purposes, shall be permitted; more than one shall constitute a business operation and shall not be permitted in a residential district.