

**CONEWAGO TOWNSHIP
ADAMS COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2020 - C

AN ORDINANCE AMENDING THE OFFICIAL ZONING ORDINANCE OF CONEWAGO TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA, BY REZONING APPROXIMATELY 185.07 ACRES (PARCEL IDS 08-K15-0004-000, 08-K14-0237-000, 08-K14-0129A-0000, 08-K14-0129-000, 08-K15-0001-000 AND 08-K15-0010-000), GENERALLY LOCATED SOUTH OF ROUTE 116 AND WEST OF MCSHERRYSTOWN BOROUGH (AS DESCRIBED MORE FULLY IN EXHIBIT A AND THE PROPERTY MAP WHICH ARE ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE) FROM THE SUBURBAN RESIDENTIAL (R-1) DISTRICT TO THE AGRICULTURAL (A) DISTRICT;

WHEREAS, Conewago Township (the "Township") has an enacted Official Zoning Ordinance and Official Zoning Map;

WHEREAS, the five (5) parcels comprising the approximately 185.07 acres (the "Properties"), was the subject of rezoning from Agricultural (A) to Suburban Residential (R-1) via Ordinance 2019-A on August 19, 2019;

WHEREAS, local officials have determined that Ordinance 2019-A was and remains inconsistent with the official Comprehensive Plan of Conewago Township, adopted on April 21, 2008 (and amended on August 17, 2009);

WHEREAS, approximately 168.88 acres of the Properties (~91%), is designated within an Agricultural Security Area ("ASA") pursuant to 3 P.S. §901, *et. seq.*, resulting in additional landowner protections from local ordinances and nuisance laws affecting normal farming practices and review of farmland condemnation by state and local government agencies;

WHEREAS, zoning ordinances shall protect prime agricultural land (53 P.S. §10603.(g)(1));

WHEREAS, the provisions of zoning ordinances shall be designed to preserve prime agricultural and farmland considering topography, soil type and classification, and present use (53 P.S. §10604.(3));

WHEREAS, most of the Properties (approximately 92%), are currently in agricultural use;

WHEREAS, the Properties are designated as either "High Priority" or "Standard Priority" on the Adams County Agricultural Preservation Priority Area Map (adopted by Resolution 17 of 2013, Data Current as of August 17, 2018);

WHEREAS, according to the United States Department of Agriculture, approximately 81% of the Properties consists of prime farmland soils;

WHEREAS, when considering proposed Ordinance No. 2019-A in May of 2019, the Adams County Office of Planning and Development noted that "[t]he appropriate order for the planning process here would be for the Township to complete the review and update the Township Comprehensive Plan first. Updating the Zoning Ordinance/Map should occur only after the Comprehensive Plan has been updated.";

WHEREAS, local officials believe that the passage of Ordinance No. 2019-A was ill-timed and that the Township would be better served by repealing Ordinance No. 2019-A and returning the zoning designation of the Properties to Agricultural (A), until such time as an updated municipal comprehensive plan can be completed to better inform the Township on proposed planning and zoning changes;

NOW, THEREFORE BE IT ORDAINED AND ENACTED THAT THE OFFICIAL ZONING MAP OF CONEWAGO TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA, BE AMENDED BY REZONING APPROXIMATELY 185.07 ACRES (PARCEL IDS 08-K15-0004-000, 08-K14-0237-000, 08-K14-0129A-0000, 08-K14-0129-000, 08-K15-0001-000 AND 08-K15-0010-000), GENERALLY LOCATED SOUTH OF ROUTE 116 AND WEST OF MCSHERRYSTOWN BOROUGH (AS DESCRIBED MORE FULLY IN EXHIBIT A AND THE PROPERTY MAP WHICH ARE ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE) FROM THE SUBURBAN RESIDENTIAL (R-1) DISTRICT TO THE AGRICULTURAL (A) DISTRICT;

* * * * *

REPEALER

Any ordinance, or any part thereof, inconsistent herewith and any amendments thereof are hereby expressly repealed.

SEVERABILITY

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

CODIFICATION

This Ordinance shall be codified in the Codified Ordinances of Conewago Township, Adams County, Pennsylvania, and shall amend such codification as necessary to Codify this Ordinance, including the amendment of Chapter 155, Zoning.

EFFECTIVE DATE

This Ordinance shall become effective five (5) days after its enactment by the Board of Supervisors of Conewago Township, Adams County, and Commonwealth of Pennsylvania.

[Signatures on Next Page]

EXHIBIT A

DESCRIPTION OF LAND IN THE SUBURBAN RESIDENTIAL (R-1) ZONING DISTRICT REDESIGNATED AND REZONED TO THE AGRICULTURAL (A) ZONING DISTRICT

1. Racehorse Road, LLC
5955 Hanover Road
Hanover, PA 17331
Parcel Id: 08-K15-0004-000

Less the following:

ALL that certain land within Parcel 04 of the Lewis J. Klunk Trust in Conewago Township, Adams County, and bounded and limited as follows:

BEGINNING at a point near the centerline of Hanover Road (SR-0116), said point being 70' northeast of the centerline intersection with centennial road to the north and a proposed street to the south; thence along Hanover Road (SR-0116) in a Easterly direction for 535 feet+- to a point on the McSherrystown Borough Line at the bridge over Plum Creek; thence along the McSherrystown Borough Line and in and along Plum Creek and through the Klunk Trust parcel in a southerly direction for 1120 feet+- to a point on said McSherrystown Borough line with the southern line of the Klunk Trust parcel; thence along the southerly line of the Klunk Trust parcel in a westerly direction for 500 feet+- to a point on said southerly line, said point being 70 feet northeast of the projected centerline of said proposed street; thence traversing through the Klunk Trust parcel in a northerly direction, and being 70 feet parallel with the proposed street centerline, for 1134 feet+- to the point of beginning. **Containing 11.3 Acres+-**

2. Southeastern Adams Volunteer Emergency Services
5865 Hanover Road
Hanover, PA 17331
Parcel Id: 08-K14-0237-000
3. 150 Carlisle Street, LLC
5955 Hanover Road
Hanover, PA 17331
Parcel Id: 08-K14-0129A-000
Parcel Id: 08-K14-0129-000
4. Patrick F. Murren, et. al.
110 Race Horse Road
Hanover, PA 17331
Parcel ID: 08-K15-0010-000
5. William H. Rittase
250 Race Horse Road
Hanover, PA 17331
Parcel ID: 08-K15-0010-000

Mcsherrystown
Borough
Adams County

150 CARLISLE ST., LLC
1.06 ACRES
08-K14-0129A-000
5955 Hanover Rd
Hanover PA 17331
Current Zone: R-1
Proposed Zone: Ag


SAVES
15.00 ACRES
08-K14-0237-000
5865 Hanover Rd
Hanover PA 17331
Current Zone: R-1
Proposed Zone: Ag

KLUNK
.69.1 ACRES
08-K15-0004-000
5955 Hanover Rd
Hanover PA 17331
Current Zone: R-1
Proposed Zone: Ag

MURREN
83.72 ACRES
08-K15-001-000
110 Race Horse Rd
Hanover PA 17331
Current Zone: R-1
Proposed Zone: Ag







RITTASE
16.19 ACRES
08-K15-0010-000
250 Race Horse Rd
Hanover PA 17331
Current Zone: R-1
Proposed Zone: Ag

**Proposed Zoning District
Map Amendment**



Lonewego Township, Adams County

Legend

 Parcel Boundary	 Zoning Districts
 Municipal Boundary	 A - Agriculture
	 NC - Highway Commercial
	 R-1 - Suburban Residential

Scale

0 250 500 1,000 Feet

1 inch = 500 feet

Gannett Fleming

Map Created: 02/2020

This Ordinance, enacted this 21st day of September, 2020.

BOARD OF SUPERVISORS OF CONEWAGO TOWNSHIP

By: *Charlita M. Stoffen* Chair
Thomas [unclear] Vice-Chair
Louann Boyer Secretary
Thomas J. [unclear] Member
Dale [unclear] Member

ATTEST:

Inger [unclear] Secretary

(SEAL)

