COUNTY OF LYCOMING
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 2020-01

AN ORDINANCE

OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LYCOMING, COMMONWEALTH OF PENNSYLVANIA, AMENDING LYCOMING COUNTY ZONING ORDINANCE TO: DEFINE A HUNTING PRESERVE USE; ESTABLISH SUPPLEMENTAL CONTROLS FOR THE HUNTING PRESERVE USE; AND, AMEND THE TABLE OF USES TO ADD SECTION 3120(V) TO ADD THE HUNTING PRESERVE USE AS A SPECIAL EXCEPTION IN THE AGRICULTURAL (AG), RESOURCE PROTECTION (RP), AND COUNTYSIDE (CS) ZONING DISTRICTS. PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES OR RESOLUTIONS INSOFAR AS SAME SHALL BE INCONSISTENT HEREWITH; AND, PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

WHEREAS, the Board of County Commissioners directed the County Planning and Community Development Director to process a text amendment package within the Lycoming County Zoning Ordinance to add a Hunting Preserve Use, as defined herein; and

WHEREAS, as part of the addition of the Hunting Preserve Use to the Lycoming County Zoning Ordinance, supplemental controls have been created applicable to the Hunting Preserve Use and the use itself is by special exception in the Agricultural (AG), Resource Protection (RP), and Countryside (CS) zoning districts; and

WHEREAS, the Lycoming County Planning Commission by public action at its regularly scheduled monthly meeting on November 19, 2019, recommended passage of the amendment to add a Hunting Preserve use, as defined herein, to the Lycoming County Zoning Ordinance; and

WHEREAS, as required by the Pennsylvania Municipalities Planning Code, the Board of County Commissioners held a public hearing on the proposed amendment on May 7, 2020; and

NOW, THEREFORE, be it enacted and ordained by the Commissioners of the County of Lycoming, as follows:

SECTION 1:

The Lycoming County Zoning Ordinance is hereby amended as follows:

(1). Section 3240(V) is added to establish a definition of Hunting Preserve Use in Section 3240(V)(1) as set forth in Attachment A attached hereto and incorporated by reference as though fully set forth herein;

(2). Section 3240(V) is added to establish supplemental controls for the Hunting Preserve Use in Sections 3240(V)(a) through (g) as set forth in Attachment A attached hereto and incorporated by reference as though fully set forth herein; and,

(3). Section 3120 is amended to add a Section 3120(V) to the Table of Uses as set forth in Attachment A attached hereto and incorporated by reference as though fully set forth herein to add the Hunting Preserve Use as a special exception use in the Agricultural (AG), Resource Protection (RP), and Countryside (CS) zoning districts.

SECTION 2:

In any event that any provision, section, sentence, clause or part of this ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this ordinance, it being

the intent of the County that such remainder shall be and shall remain in full force and effect.

SECTION 3:

All ordinances or parts of ordinances, insofar as the same shall be inconsistent herewith, shall be and the same are expressly repealed.

SECTION 4:

This Ordinance shall be valid and effective for all purposes on the _____ day of May 2020.

Duly enacted by the Board of Commissioners of the County of Lycoming, Commonwealth of Pennsylvania, in lawful session assembled this _____ day of May 2020.

COUNTY OF LYCOMING

_____
Scott Metzger, Chairman

ATTEST:

_____
Matthew McDermott, Chief Clerk

_____
Tony R. Mussare, Vice Chairman

_____
Richard Mirabito, Secretary

– Attachment A –

Table 3120 Permitted Uses Zoning District*										
General Use	**Rural**				**Suburban**			**Urban**		**Preservation**
Commercial	AG	RP	CS	RC	E	SE	SM	CR	I	NP
V. Hunting Preserve	S	S	S	N	N	N	N	N	N	N
P = Permitted by right in this district with a Zoning Permit **N = Not permitted in this district** **S = Permitted in this District only with a Special Exception**										

3240V Hunting Preserve

1. Definition

   Establishments primarily engaged in commercial hunting and trapping, or in the operation of game preserves. Hunting Preserves are typically fenced operations intended to hold domesticly raised game intended for commercial hunting and trapping, however, this definition also includes operations regulated by the Pennsylvania Game Commission as Regulated Hunting Grounds which provide commercial hunting of certain game bird species (namely ringneck pheasants, bobwhite quail, mallard ducks, or other similar game birds). This definition does not include hunting and fishing lodges/camps or any traditional hunting activities carried out in conformance with Pennsylvania Game Commission regulations.

2. Supplemental Controls

   a. Hunting Preserves must have an area of no less than one hundred (100) contiguous acres for the operation which is undivided by public or private rights-of-way intended for the conveyance of automobiles.

   b. The entire game preserve/hunting operation must be surrounded by a fence of sufficient height to prevent the animals from leaving the game preserve. Additionally, the fence must be extended at least 2 feet below ground or the bottom of the fence at least 2 feet up must be electrified to prevent animals from burrowing below the fence. Hunting Preserves regulated by the Pennsylvania Game Commission as Regulated Hunting Grounds are not required to provide fencing but are required to mark the boundary of the property in such manner that any intruder is warned of the

purpose of the area and that it is unlawful to enter the area without permission or as otherwise required by the Pennsylvania Game Commission.

c. Enclosures for commercial hunting shall be erected at least four hundred fifty (450) feet from a neighboring residence, any neighboring agricultural building used to house livestock, a school, daycare facility, or playground associated with a school.

d. Commercial hunting operations shall not undertake activities between the hours of sunset and sunrise.

e. The owner/operator will show proof that any and all required federal, state, and local licenses and permits have been obtained.

f. A Hunting Preserve may construct with appropriate zoning permit approvals a principal building(s) for the conduct of business related to the operation as well as for lodging guests of the preserve. Lodging facilities shall not be open to customers other than patrons of the hunting preserve and must follow the requirements listed in Section 3240J.2.b through 3240J.2.f. A Hunting Preserve may also construct with appropriate zoning permit approvals an accessory structure for the purposes of butchering game animals killed within the hunting preserve.

g. A general site plan is required in accordance with Section 10240 of the County Zoning Ordinance. The site plan shall show all primary structures and any structures used to house livestock within 1000 feet of the proposed game preserve area.