

**LONDONDERRY TOWNSHIP
DAUPHIN COUNTY, PENNSYLVANIA**

Ordinance 2024-01

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE TOWNSHIP OF LONDONDERRY, CHAPTER 27, ZONING, PART 16 (GENERAL REGULATIONS), SECTION 1609 (YARD REGULATIONS), SUBSECTION 5 (BUFFER YARDS), PARAGRAPH A, TO ADD A BUFFER YARD REQUIREMENT TO LARGE RESIDENTIAL OR MIXED USE DEVELOPMENTS OF OVER 40 UNITS AND TO CLARIFY THAT ALL BUFFER YARD SPECIFICATIONS PROVIDED FOR IN SUCH SECTION ARE MANDATORY; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS THEREOF; AND, PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, the Londonderry Township Board of Supervisors previously duly enacted a Zoning Ordinance of Londonderry Township, Dauphin County, Pennsylvania (“Zoning Ordinance”), pursuant to its statutory authority under the Pennsylvania Municipalities Planning Code (“MPC”), Act 247 of 1968, *as amended* (53 P.S. § 10101 *et seq.*); which Zoning Ordinance was codified as Chapter 27 of the Code of Ordinances of Londonderry Township;

WHEREAS, since its adoption, the Board of Supervisors has from time to time amended the Zoning Ordinance; and

WHEREAS, the Board of Supervisors has met the procedural requirements of the MPC and of the Township's ordinances for the adoption of the proposed ordinance, including notice review, posting and holding a public hearing; and

WHEREAS, the Board of Supervisors of Londonderry Township, Dauphin County, Pennsylvania amends Chapter 17 (Zoning), Part 16 (General Regulations), §1609 (Yard Requirements), Subsection 5 (Buffer Yards), Paragraph “A” the Londonderry Township Code of Ordinances to add certain buffer yard requirements for large residential or mixed use developments of over forty (40) units, and to clarify that certain specified buffer yards are mandatory;

WHEREAS, the Board of Supervisors, after due consideration of the proposed Ordinance Amendment, and after a duly advertised public hearing, has determined that the health, safety, and general welfare of the residents of Londonderry Township will be served by the proposed Ordinance amendment.

NOW THEREFORE, it is hereby ordained by the Board of Supervisors of Londonderry Township, Dauphin County, Pennsylvania, that Chapter 27, Zoning, of the Code of Ordinances of the Township of Londonderry is amended as follows:

SECTION 1. Chapter 27 (Zoning), Part 16 (General Regulations), §1609 (Yard Requirements), Subsection 5 (Buffer Yards), Paragraph “A” is hereby amended as follows by adding the underlined text and deleting the bracketed and struck text.

*Buffer yards ~~[should]~~ **shall** be provided wherever nonresidential/nonagricultural uses abut residential districts or residential users regardless **of** whether the **abutting** property is developed, and where a residential use adjoins a limited access highway, a buffer yard of not less than **thirty (30)** feet in width shall be provided along the lot lines, in addition to the yards required for the district in which it is located. **Buffer yards of not less than thirty (30) feet in width in addition to the yards required for the district in which it is located, and that include an earthen berm of not less than six (6) feet in height, landscaped in accordance with a plan prepared by a Landscape Architect registered as such in the Commonwealth of Pennsylvania, shall also be provided along the lot lines whenever residential or mixed use developments of more than forty (40) units abut residential or agricultural users or residential or agricultural districts, regardless of whether the abutting property is developed.***

SECTION 2. Repealer

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION 3. Severability

In the event any provisions, sections, sentences, clause, or part of this Ordinance Amendment shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Ordinance Amendment, it being the intent of the Board of Supervisors that the remainder of the Ordinance Amendment shall remain in full force and effect.

SECTION 4. Effective Date

This Ordinance Amendment shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of Londonderry Township as provided by law.

DULY ORDAINED and ENACTED this ____ day of _____, 2024, by the Board of Supervisors of Londonderry Township, Dauphin County, Pennsylvania, in lawful session duly assembled.

ATTEST:

**BOARD OF SUPERVISORS
LONDONDERRY TOWNSHIP**

, Secretary

By: _____
, Chair