



**Washington Township
York County
Pennsylvania**

Zoning Ordinance

Supervisors:

**Daniel McGregor, Chairman
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Revised: January 7, 2009**

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DESCRIPTION

AN ORDINANCE WITH THE INTENT OF REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES; THEIR CONSTRUCTION, ALTERATION, EXTENSION, REPAIR, MAINTENANCE AND ALL FACILITIES AND SERVICES IN OR ABOUT SUCH BUILDINGS AND STRUCTURES: PERCENTAGE OF LOT THAT MAY BE OCCUPIED; THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES; THE DENSITY OF POPULATION AND THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCE OR OTHER PURPOSES; AND FOR THESE PURPOSES ESTABLISHING ZONES AND BOUNDARIES AND DESIGNATING AND REGULATING RESIDENTIAL, COMMERCIAL, INDUSTRIAL, PUBLIC AND SEMI-PUBLIC, AGRICULTURAL AND CONSERVATION USES WITHIN SUCH ZONES AND BOUNDARIES; PROVIDING FOR THE ADMINISTRATION OF THIS ORDINANCE AND PENALTIES FOR THE VIOLATION THEREOF, IN THE TOWNSHIP OF WASHINGTON, THE COUNTY OF YORK AND COMMONWEALTH OF PENNSYLVANIA, PURSUANT TO THE AUTHORITY GRANTED IN THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE (ACT 247) AS ENACTED AND AMENDED.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF WASHINGTON in the County of York and the Commonwealth of Pennsylvania, as follows:

ARTICLE I

SHORT TITLE, PURPOSE AND COMMUNITY DEVELOPMENT OBJECTIVES

SECTION 101 SHORT TITLE

This Ordinance shall be known and may be cited as the "WASHINGTON TOWNSHIP ZONING ORDINANCE."

SECTION 102 PURPOSE

The purpose of these regulations is to promote and protect the harmonious development of the Township by facilitating:

- a) The orderly and efficient integration of land development within the Township.
- b) Proper density of population.
- c) Adequate water and sewage.
- d) Adequate police protection, fire protection, schools, parks and other public grounds and buildings.
- e) The protection of water resources and drainage ways.
- f) Adequate light and air.
- g) Adequate transportation, parking and loading space.
- h) The greater health, safety and welfare of the citizens of the Township,
- i) Protection of the agricultural resources of the Township,
- j) Adequate sites for recreation, conservation and open space,
- k) The prevention of blight and overcrowding of land.

SECTION 103 COMMUNITY DEVELOPMENT OBJECTIVES This Ordinance is enacted as part of the overall plan for the orderly growth and development of Washington Township. As such, this Ordinance is based upon the expressed or implied community development objectives as contained in the Washington Township Comprehensive Plan.

ARTICLE II: DEFINITIONS

SECTION 201 INTENT

Words and phrases shall be presumed to be used in their ordinary context unless such word or phrase is defined or interpreted differently within this Section.

SECTION 202 GENERAL INTERPRETATION

Unless otherwise expressly stated the following shall, for the purposes of this Ordinance, be interpreted in the following manner:

- a) Words used in the present tense imply the future tense.
- b) Words used in the singular imply the plural.
- c) The word "person" includes a partnership or corporation as well as an individual, he or she.
- d) The word "shall" or "must" is to be interpreted as mandatory; the word "may" as directory and complied with unless waived.

SECTION 203 SPECIFIC WORDS AND PHRASES

For the purposes of this Ordinance, the following words and phrases have the meaning given herein:

ACCESS DRIVE - A private drive, other than a driveway, which provides for vehicular access between a street and a parking area, loading area, drive-in service window or other facility within a land development. (See Driveway).

ADULT ORIENTED FACILITY - An establishment open to the general public or a private club open to members, except persons under the age of eighteen (18) years, which is used and occupied for one (1) or more of the following activities:

ADULT BOOK STORE - An establishment in which one percent (1%) or more of the occupied sales or display area offers for sale, for rent or lease, for loan, or for view upon the premises, of pictures, photographs, drawings, prints, images, sculpture, still film, motion picture film, video tape, or similar visual representations distinguished or characterized by an emphasis on sexual conduct or sexually explicit nudity, or books, pamphlets, magazines, printed matter or sound recordings containing explicit and detailed descriptions or narrative accounts distinguished or characterized by an emphasis on sexual conduct, or offers sexual devices for sale. An establishment in which less than one percent (1%) of the occupied sales area offers for sale, for rent or lease, for loan, or for view upon the premises, such items, as described above, shall not be regulated as an Adult Oriented Facility, provided that the items are kept out of public view and not sold to persons under eighteen (18) years of age.

ADULT CABARET - An establishment, club, tavern, restaurant, theater or hall which features live entertainment distinguished or characterized by an emphasis on sexual conduct or sexually explicit nudity.

ADULT MASSAGE PARLOR - An establishment whose business is the administration of massage to the anatomy of patrons regardless whether or not the same includes sexual conduct.

ADULT THEATER - A building, or a room within a building, used for presenting motion picture film, video tape or similar visual representation of materials distinguished or characterized by an emphasis on sexual conduct or sexually explicit nudity.

AGRICULTURE - The use of land for farming, dairying, pasturage, agriculture horticulture, floriculture, agriculture or animal or poultry husbandry including the necessary accessory uses for packing, treating or storing produce and equipment or housing and feeding the animals. Includes land devoted to and meeting the requirements and qualifications for payments or other compensation pursuant to a soil conservation program. It excludes riding academies, boarding stables and kennels.

ALTERATIONS - As applied to a building or structure, any change or rearrangement in the total floor area, or an enlargement, whether by extending on a side or by increasing in height.

ALTERATIONS, STRUCTURAL - Any change in the supporting members of a building or structure, such as bearing walls, columns, beams or girders.

AMENDMENT - A change which includes revisions to the zoning text and/or the official zoning map. The authority for any amendment lies solely with the Board of Supervisors.

ANIMAL HOSPITAL - A building used primarily for the treatment, by a veterinarian, of small domestic animals such as dogs, cats, rabbits, and birds or fowl. Boarding of such animals shall be for medical or surgical treatment only.

APPLICANT - Any landowner, lessee or his authorized agent who submits plans, data and/or an application to the Zoning Officer or other designated Township official for the purpose of obtaining approval thereof

AUTOMOBILE - A self-propelled motor vehicle designed for the conveyance of persons or property requiring a registration plate by the Commonwealth of Pennsylvania for operation upon public highways, including trucks, motor homes and motorcycles. (See Recreational Vehicle.)

BASEMENT - A story having part but not more than one-half (1/2) of its height below the average level of the adjoining ground. A basement shall be considered as a story.

BED AND BREAKFAST INN - A single family residence or portion thereof containing not more than five (5) guest rooms which are used by not more than fifteen (15) guests where rent is paid in money, goods, labor or otherwise. (See Boarding House, Rooming House).

BOARDING HOUSE - A building, where for compensation, provisions are made for lodging and meals for at least three (3), but not more than fifteen (15), persons. (See Bed and Breakfast Inn, Rooming House).

BUILDING - Any structure on a lot, having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals, or chattels. (See Structure.) For regulatory purposes, all buildings are considered as structures.

ACCESSORY BUILDING - A building subordinate to and detached from the main building on the same lot and used for purposes customarily incidental to the principal building. For regulatory purposes, all accessory buildings are considered accessory structures.

ATTACHED BUILDING - A building which has two (2) or more party walls in common.

DETACHED BUILDING - A building which has no party wall,

PRINCIPAL BUILDING - A building in which is conducted the principal use of the lot on which it is located. For regulatory purposes, all principal buildings are considered principal structures.

SEMI-DETACHED BUILDING - A building which has only one (1) party wall in common.

BUILDING AREA -The total area taken on a horizontal plane at the mean level of the ground surrounding the-principal building and all accessory buildings.

BUILDING HEIGHT - The total overall height in feet of a building measured from the average grade level to the highest point of the roof

BUILDING LINE - A line parallel to the front, side, or rear lot line set so as to provide the required yard.

CAMPGROUND OR RECREATIONAL VEHICLE PARK - A lot, tract or parcel of land upon which two (2) or more campsites are located or established, intended and maintained for occupancy by transients in recreational vehicles or tents.

CAMPSITE - A plot of ground within a campground intended for occupancy by a recreational vehicle or tent.

CARE FACILITIES - Establishments which provide food, shelter, personal assistance, supervision and/or medical or other health related services for individuals not in need of hospitalization, but who, because of age, illness, disease, injury, convalescence or physical or mental infirmity need such care.

ADULT DAY CARE CENTER - Any premise in which care is provided to four (4) or more elderly or disabled adults, who are not relatives of the caregiver, for part of a twenty-four (24) hour day. Care includes personal assistance, the development of skills for daily living and the provision of social contact.

CHILD DAY CARE CENTER - A facility licensed by the State that provides a wide range of formal day care services for remuneration to seven (7) or more children who are supervised by a qualified staff. The childcare areas in a day care center shall not be used as a family residence.

CONVALESCENT OR NURSING HOME - A licensed establishment which provides full-time residential, intermediate or skilled nursing care for three (3) or more individuals who, by reason of chronic illness or infirmity, are unable to care for themselves. No care for the acutely ill or surgical or obstetrical services shall be provided in such a home.

DOMICILIARY CARE HOME - A building or structure designed as a dwelling unit for one (1) family which provides 24-hour supervised protective living arrangements by the family residing therein for not more than three (3) persons eighteen (18) years of age and above who are disabled physically, mentally,, emotionally or who are elderly persons, and who are not relatives of the care giver as defined by the PA Department of Public Welfare.

FAMILY DAY CARE HOME - A facility located in a single-family residence which provides supervised care for remuneration to not more than six (6) children who are not relatives of the care giver as defined by the PA Department of Public Welfare.

GROUP DAY CARE HOME - A facility, located in a single-family residence, which provides supervised care for remuneration to more than six (6) but less than twelve (12) children who are not relatives of the care giver.

GROUP HOME - A type of group quarters, specifically a dwelling designed for a group of mentally and/or physically disabled persons living and cooking together in a single dwelling unit. A. group home may be directly affiliated with a parent institution which provides for the administration of the residents, who are required to reside on the premises to benefit from the service, through the direction of a professional staff and for supervision of residents by full-time resident staff

PERSONAL CARE BOARDING HOME – A type of group quarters, specifically premises in which food, shelter, and personal assistance or supervision are provided, on a state or federally licensed basis, for a period exceeding twenty-four (24) consecutive hours for at least four (4) but not more than sixteen (16) persons who are over the age of eighteen (18), who are not relatives of the operator and who are aged, blind, disabled, infirm or dependent but do not require skilled or intermediate nursing care.

CARPORT - An accessory structure, not totally enclosed, which is primarily designed or used for parking automobiles.

CELLAR - A story having more than one-half (1/2) of its clear height below the average level of the adjoining ground. A cellar shall not be considered in determining the number of stories.

CERTIFICATE OF USE - A certificate, issued by the Zoning Officer, which permits the use of a building in accordance with the approved plans and specifications and certifies compliance with the provisions of law for the use and occupancy of the land and structure in its several parts, together with any special stipulations or conditions of the building permit.

CLUSTER DEVELOPMENT - Three (3) or more lots designed to be provided with common access via a cul-de-sac or other interior street.

~~**COMMERCIAL RECREATIONAL ESTABLISHMENT**—A use of land for leisure time activities, such as a swimming pool, tennis court, golf driving range, miniature golf, golf course, ski slopes, drive in theater, bowling alley, billiard parlors, or video arcades. It, however, excludes an outdoor trap, skeet, rifle, pistol or archery range. (Ord 2009-01)~~

COMMERCIAL RECREATIONAL FACILITIES – A use of land, including any accessory structures, permitted by special exception or variance, for activities, such as, but not limited to: a swimming pool, tennis court, golf driving range, miniature golf, golf course, ski slopes, drive-in theater, bowling alley, billiard parlors, video arcades, amusement parks, health and fitness clubs, batting cages, all-terrain vehicle trails, motorcycle (including motorbikes or “go carts”) trails or racing facilities, motor speedways (including “drag strips”) and related or similar operations. It, however, excludes an outdoor trap, skeet, rifle, pistol or archery range. (Ordinance 2009-01)

COMMUNICATION TOWER - Includes wireless telephone exchange, radio or television broadcasting, micro-relay stations, and similar facilities, 50-feet or more in height above the ground surface. (Ord 98-18)

COMMUNICATION TRANSMITTING AND RECEIVING FACILITY - Includes wired telephone or telegraph exchange, radio or television cable broadcasting, and similar facilities, less than 50 feet in height above the ground surface; and wireless communication antennae attached to structures permitted by right in the district, with the top of the antennae a maximum of 10-feet above the structure. A building for human occupancy shall not be construed to be included in this definition. (Ord 98-18)

CONDOMINIUM - A type of ownership arrangement, not a land use, wherein parts of a building typically are owned separately by persons and other parts such as halls, stairs and recreation areas are owned jointly by such persons. A condominium may be residential, commercial or industrial in nature.

CONTRACTOR'S OFFICE OR SHOP - Offices and shops for tradesmen, such as building, cement, electrical, painting and roofing contractors.

DENSITY - The number of dwelling units per acre.

DRIVEWAY - A private minor vehicular right-of-way providing access between a street and a garage, carport or other parking space for a single family or two-family dwelling. (See Access Drive.)

DWELLING - A building or structure designed for living quarters for one (1) or more families, including mobile homes; but not including hotels, rooming houses, convalescent homes or other accommodations used for transient occupancy. (See Diagram of Dwelling Types)

MULTI-FAMILY DWELLING - A building containing three (3) or more dwelling units including apartment houses, garden apartments or townhouses. All dwelling units are located on a single lot and share with other units a common yard area.

SINGLE FAMILY ATTACHED DWELLING - A portion of a building containing one (1) dwelling unit and having two (2) party walls in common with other dwelling units (such as row houses or townhouses). Each dwelling unit is located on a single lot.

SINGLE FAMILY DETACHED DWELLING- A building containing only one (1) dwelling unit and having two (2) side yards.

SINGLE FAMILY SEMI-DETACHED DWELLING - A portion of a building containing one (1) dwelling unit, having one (1) side yard, and having one (1) party wall in common with another dwelling unit. Each dwelling unit is located on a single lot.

TWO FAMILY DWELLING - A building containing two (2) dwelling units, having two (2) side yards and having one (1) partition in common between the two (2) units. Both dwelling units are located on the same lot.

DWELLING UNIT - One (1) or more rooms used for living and sleeping purposes and having a kitchen with fixed cooking facilities arranged for occupancy by one (1) family.

EATING ESTABLISHMENT - A public eating place involving the sale of custom prepared foods for either on-premises or off-premises consumption.

ECHO HOUSING (Elder Cottage Housing Opportunities): An additional single family, temporary dwelling unit use added to a property for occupation by elderly, handicapped or disabled persons related by blood, marriage or adoption to the occupants of the principal dwelling. (Ord 2016-02)

EXTRACTIVE OPERATION - Any operation engaged in by an individual, corporation or firm for the purpose of extracting minerals and substances from the earth. Extractive operations shall include, but are not limited to, the mining of minerals, gas and oil from the earth.

FAMILY - One (1) or more persons who live in one (1) dwelling unit and maintain a common household. May consist of a single person or two (2) or more persons, whether or not related by blood, marriage, or adoption. May also include domestic servants and gratuitous guests, but not occupants of a club, fraternal lodging, or boarding house.

FARM - Any parcel of land which is used for gain in the raising of agricultural products, livestock, poultry or dairy products, including necessary farm structures within the prescribed limits and the storage of equipment customarily incidental to the primary use. For the purpose of this Ordinance, a farm shall not include a riding academy, boarding stable or kennel.

FINANCIAL SECURITY – A form of security including a cash deposit, surety bond, irrevocable letter of credit, cashier’s check, or escrow account from a federal or Commonwealth chartered lending institution in the amount of 110% of the total proposed decommissioning cost and in a form satisfactory to the municipality and municipal Solicitor. (2025-03)

FLOOD-PRONE AREA - A relatively flat or low land area adjoining a stream, river, or watercourse which is subject to partial or complete inundation, or any area subject to the unusual and rapid accumulation or runoff of surface waters from any source. Flood plain areas include, but are not necessarily limited to, those areas identified as being flood-prone on the Flood Boundary and Floodway Map for Washington Township.

FLOODPROOFING - Any combination of structural and nonstructural additions, changes, or adjustments to properties and structures which reduce or eliminate flood drainage to lands, water and sanitary facilities, structures and contents of buildings.

FLOODWAY - The channel of a stream or other watercourse and the adjacent land areas required to carry and discharge a flood of a given magnitude. For the purposes of this Ordinance, the floodway shall be capable of accommodating a flood of the one hundred (100) year magnitude, without increasing the water surface elevation of that flood more than one (1) foot at any point.

FLOOR AREA, GROSS - The sum of the gross horizontal areas of the several floors of a building and its accessory buildings on the same lot, excluding cellar, basement and attic floor areas not devoted to residential use. All dimensions shall be measured between exterior faces of walls.

FLOOR AREA, GROSS LEASABLE - The sum of the floor areas designed for the tenants' occupancy and use. It is all that area on which tenants pay rent, including sales area and integral stock areas.

FLOOR AREA, HABITABLE - The sum of the horizontal areas of all rooms used for habitation such as living room, dining room, kitchen, bathroom, or bedroom, but not including hallways, stairways, cellars, attics, service rooms or utility rooms, closets, nor unheated areas such as enclosed porches. Earth-sheltered dwellings, designed as such shall include the aggregate of area used for habitation as defined above whether or not all or a portion is below ground level.

FOREST AND WILDLIFE PRESERVE - A tract of land containing at least ten (10) acres utilized in its entirety for the production of forest products and/or the maintenance of a sanctuary for wildlife (no domestic animals).

GARAGE, PRIVATE - An accessory building for the storage of one (1) or more automobiles, recreational vehicles and/or similar vehicles accessory and incidental to the primary use of the premises, provided that no business, occupation, or service is conducted for profit therein.

GREENHOUSE, HORTICULTURAL NURSERY - A use primarily involved in horticulture which includes the sale of plants grown on the premises and related goods and materials as well as the storage of equipment customarily incidental and accessory to the primary use.

GROUP QUARTERS - Any dwelling or portion thereof which is designed or used for at least three (3) but not more than eight (8) persons unrelated to each other or to any family occupying the dwelling unit and having common eating facilities. Group quarters include, but is not limited to, lodging or boarding houses, fraternity and sorority houses, dormitories and other quarters of an institutional nature. Such quarters must be associated with a parent religious, educational, charitable or philanthropic institution.

GUEST ROOM - A room which is intended, arranged or designed to be occupied or which is occupied by one (1) or more guests but in which no provision is made for cooking. Residential non-commercial guest rooms shall be within or attached to the principal residence and shall be a part of the residential utility (sewer, electric, etc.) service line.

HALF-WAY HOUSE - A dwelling for the transitional institutionalized supervision of individuals who have violated the law and who are sent to a half-way house upon release from, or in lieu of being sent to, a penal institution.

HOME OCCUPATION - A special type of accessory use, specifically an occupation as specified in Section 719, which is clearly incidental and secondary to the principal use of a property.

HOSPITAL - A place for the diagnosis, treatment, or other care of humans and having facilities for in-patient care including such establishments as a sanitarium, sanatorium, or preventorium.

IMPERVIOUS SURFACE - A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. Areas including, but not limited to, parking areas, driveways, roads, sidewalks, patios and any similar areas of concrete, brick, bituminous products, crushed stone, or gravel shall be considered impervious surfaces. In addition, all buildings and structures shall be considered as impervious surfaces for computation of lot coverage.

INDUSTRIAL PARK - A parcel of land -

- 1) Organized and laid out in accordance with an overall plan for a community of industries including the servicing of these industries, and
- 2) Designed to ensure compatibility between the industrial operations in the park and the surrounding area through such devices as landscaping, architectural control, setbacks, and use requirements.

INOPERABLE MOTOR VEHICLE - Any automobile, construction equipment, motorcycle, tractor, truck or similar apparatus or vehicle that is discarded, partially or wholly dismantled, junked or wrecked or a vehicle that is without a valid inspection sticker, registration or title required for its lawful operation on the public roads of Pennsylvania.

JUNK - Discarded materials, articles or things possessing value in part, gross or aggregate and including but not limited to scrapped motor vehicles and parts thereof including motors, bodies of motor vehicles, tires, and vehicles which are inoperable or do not have a current and valid inspection sticker as required by the Motor Vehicle Laws of the Commonwealth of Pennsylvania or current registration, but not including garbage or other organic waste, or farm machinery provided said farm machinery is used in connection with a bona fide fanning operation.

JUNK YARD - Any place or establishment where junk is stored or accumulated out of doors, or where two (2) or more motor vehicles are stored which are unlicensed or inoperable or do not have current registration or do not have a current valid inspection sticker as required by the Motor Vehicle Laws of the Commonwealth of Pennsylvania.

JUNKED MOTOR VEHICLE - A motor vehicle from which parts or accessories have been removed, or that shall be inoperable as a result of damage thereto.

KENNEL - Any building or buildings and/or land used for the sheltering, boarding, breeding or training of four (4) or more dogs, cats, fowl or other small domestic animals at least six (6) months of age and kept or bred for purposes of profit, but not to include riding academy, boarding stable or animals and fowl raised for agricultural purposes. A kennel operation may include accessory uses such as animal grooming.

LANDOWNER - The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

LOADING SPACE - An off-street space suitable for the loading or unloading of goods and having direct usable access to a street or alley.

LOT - A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit. Terms such as parcels and tracts within an area of land established by a plat or otherwise as permitted by law, shall not constitute separate lots for the purpose of determining building rights, construction, permitting, or for other purposes of this Ordinance. Such terms assigned within an area of land shall be considered descriptive only, regardless of the granting of separate deeds or separate tax assessments or formal subdivisions, unless specifically indicated on the approval, of a Parent Tract after October 17, 1977. (Ord 2016-02)

CORNER LOT - A lot at the intersection of and fronting on, two (2) streets. The front setback regulations of the zone in which the lot is located shall apply to both street frontages.

DOUBLE FRONTAGE LOT - A lot fronting on two (2) parallel streets, or on two (2) streets which do not intersect at the boundary of the lot. Vehicular access can be from either or both streets. The front setback regulations of the zone in which the lot is located shall apply to both street frontages.

FLAG OR PAN HANDLE LOT - A single lot having street frontage of less than the required lot width and generally configured in the shape of a "flag," with an attached "flagstaff" or "handle", which provides access to the bulk of the lot. A flag lot is allowed only by Special Exception (See Section 715).

INTERIOR LOT - A lot having frontage on one (1) street and adjoined on the sides and rear by other lots.

REVERSE FRONTAGE LOT - A double frontage lot having frontage on a minor street and a collector street with vehicular access limited solely to the minor street. The front setback regulations of the zone in which the lot is located shall apply to both street frontages.

LOT AREA - The area contained within the property lines of an individual parcel of land, excluding any area within a street right-of-way, but including the area of any easement. If a lot is traversed by a street right-of-way, whether existing or proposed, any principal building on the lot shall be located on a portion of that lot which area in and of itself contains the minimum lot area required by this Ordinance.

LOT COVERAGE (MAXIMUM) - A percentage which when multiplied by the lot area will determine the permitted area that can be covered with an impervious surface (ex.: buildings, driveways, parking areas and sidewalks).

LOT LINES - The lines bounding a lot as described in the recorded title. Also referred to as "property lines."

LOT WIDTH - The width of a lot measured along the right-of-way line on all streets except cul-de-sacs and loop streets. The lot width on the vehicular turnaround portion of a cul-de-sac or on the portion of a loop street shall be measured at the minimum required front setback line and shall be a minimum of seventy-five (75) feet.

MAJOR THOROUGHFARE - A street or highway designated in the Washington Township Thoroughfare Plan as an existing or planned arterial or collector street. (See Appendix 1).

MANUFACTURING - Establishments engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of component parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics, resins or liquors.

MEDICAL CLINIC - Any building or group of buildings occupied by medical practitioners and related services for the purpose of providing health services to persons on an outpatient basis.

MINI-STORAGE FACILITY - A rental facility providing for the enclosed storage of commercial business stock or equipment, household items, recreational equipment and/or classic or antique automobiles and/or for the outdoor storage of recreational vehicles where said items are retained for direct use by their owner who shall have direct access thereto without intermediate handling by the proprietor of the facility.

MOBILEHOME - A transportable, single family dwelling intended for permanent occupancy, in one (1) unit, or in two (2) units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. Skirting and anchoring shall be required.

MOBILEHOME LOT - A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

MOBILEHOME PARK - A parcel or contiguous parcels of land which have been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes.

MOBILEHOME SALES LOT - An open lot for the outdoor display of new or used mobile homes.

MOTEL OR HOTEL - A group of attached or detached buildings containing sleeping rooms or living units with accessory facilities designed for temporary use by automobile tourists or transients including auto courts, motor lodges and similar establishments.

MULTI-FAMILY OR TWO-FAMILY CONVERSION - A multi-family or two-family dwelling constructed by converting an existing building into apartments for more than one (1) family, without substantially altering the exterior of the building.

NONCONFORMITY - A use, structure, lot or dimension in conflict with the regulations of this Ordinance, (1) existing on the effective date of this Ordinance, or (2) created by any subsequent amendment of this Ordinance, or (3) created by variance. Specifically, the following types of nonconformities are distinguished:

NONCONFORMING LOT - A lot the area or dimension of which was lawful prior to the adoption or amendment of this Ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

NONCONFORMING STRUCTURE - A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in this Ordinance or any amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of this Ordinance or amendment or prior to the application of this Ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

NONCONFORMING USE - A use, whether of land or of a structure, which does not comply with the applicable use provisions in this Ordinance or any amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of this Ordinance or amendment, or prior to the application of this Ordinance or amendment to its location by reason of annexation.

NONPROFIT - An educational, religious or charitable use which qualifies as "nonprofit" under Section 501-c of the Internal Revenue Service Code.

OWNER - The owner of record of a parcel of land.

PANHANDLE LOT - See Flag Lot.

~~**PARCEL**—Any tract or contiguous tracts of land in the same ownership and contained in the same deed. Land shall be considered contiguous even though separated by public or private roads. Parcel shall not include those contiguous tracts separately described and contained in one (1) deed which originate from separate titles and which otherwise conform to this Ordinance. (Ord 2016-02)~~

~~**PARENT TRACT** – An individual lot as it existed and is identified on the York County Tax Parcel Map on October 17, 1977. The York County Tax Map and the October 17, 1977, date shall be the determining factors in the determination of remaining building rights available for a Parent Tract regardless of the granting of separate deeds or separate tax assessments or formal subdivisions, unless specifically indicated on the approval, of a Parent Tract after October 17, 1977. (Ord 2016-02)~~

PARKING GARAGE - A building where passenger vehicles may be stored for short-term, daily, or overnight off-street parking.

PARKING LOT - An open lot where passenger vehicles may be stored for short-term, daily, or overnight off-street parking.

PARKING SPACE - An off-street space available for the parking of one (1) motor vehicle and having direct usable access to a street or lane.

PERSONAL SERVICE BUSINESS - Personal service businesses shall include barber and beauty shops; self-service laundry and dry-cleaning establishments; laundromats; radio and television repair; repair shops for home appliances, tools, bicycles, guns, locks, shoes and watches; tailor and dressmaking shops; photographers' studio; pet grooming shop or any other establishment of similar nature providing personalized service to customers.

PLAT - A map, plan or layout showing the subdivision of land or land development and indicating the location and boundaries of individual properties.

PRIVATE - Not publicly owned, operated or controlled.

PROFESSIONAL OR BUSINESS OFFICES - An office which generally operates on an appointment basis. Business offices shall include advertising agencies, opticians' offices, personnel agencies and travel and ticket agencies. Professional offices shall include offices of accountants, actuaries, architects, attorneys, clergy, dentists, designers, engineers, insurance and bonding agents, manufacturing representatives, physicians, real estate agents, teachers, and miscellaneous consulting services. Also included are offices of a governmental agency, social service organization, district justice or justice of the peace, notary, public or private utility or political organization, or an office of a bank, savings and loan association, credit or loan company, collection agency, or stock and bond broker.

PUBLIC - Owned, operated or controlled by a government agency (Federal, State or local -- including a corporation created by law for the performance of certain specialized governmental functions and the Board of Public Education.

PUBLIC SEWER - A municipal sanitary sewer system or a comparable common or package sanitary facility (i.e. community sewer system) approved and permitted by the Pennsylvania Department of Environmental resources.

PUBLIC WATER - A municipal water supply system, or a comparable public water facility (i.e. community water system) approved and permitted by the Pennsylvania Department of Environmental Resources.

RECREATIONAL VEHICLE - A vehicle with or without motive power which may travel or which may be towed on the public highways by a passenger automobile without a special hauling permit, and which is designed for recreation and/or human occupancy under transient circumstances. A recreational vehicle shall include travel trailer, camper, snowmobile, golf cart, three (3) or four (4) wheel all-terrain vehicle, trail/dirt bike, boat, boat trailer, airplane or other similar vehicle.

RETAIL STORE OR SHOP - Any shop or store whose primary activities involve the sale or lease of amusements and games, antiques, art, books, beverages, carpets and rugs, ceramics and glass, confections, drugs, dry goods, flowers, food, furniture, gifts, garden supplies, hobbies, hardware, household appliances, household pets and supplies, leather goods, musical supplies and equipment, notions, paint, periodicals, photographs and photographic equipment, radio, television and sound equipment, sporting and camping goods, stationery, tobacco, toys and wearing apparel. The wholesale distribution or manufacture of the foregoing products are not included herein and are permitted only as provided in other appropriate sections of this Ordinance. Among the uses not to be interpreted as retail stores or businesses are uses specifically provided for elsewhere in this Ordinance, including, but not limited to, service stations, vehicular sales and rental, eating establishments, adult oriented facilities, hotels and motels, business services, contractor's offices, and heavy storage sales.

RIDING ACADEMY OR BOARDING STABLE - ~~An establishment where horses are kept for riding or driving or are stabled for compensation. It may be established as a principal use or as an accessory use incidental to the operation of any club, association, ranch or similar establishment.~~ An establishment where horses are kept for riding or driving or are stabled for compensation. It may be established as a principal use or as an accessory use incidental to the operation of any club, association, ranch, similar establishment or any residential property (residential use). (Ord. 2021-01)

RIGHT-OF-WAY - A right-of-passage across land occupied or intended to be occupied by a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use. If the right-of-way involves maintenance by a public agency, it shall be dedicated to public use by the maker of the plat on which such a right-of-way is established.

ROAD FRONTAGE BUILDING RIGHT – A building lot with road frontage that meets the requirements of the zone in which it is located. (Ord 2016-02)

ROOMING HOUSE - A residential building, other than a hotel, containing not more than one (1) dwelling unit where lodging is provided with or without meals for compensation, for at least three (3) but not more than fifteen (15) people in addition to the family unit. No medical or personal care is provided to roomers by the operators of the facility.

SANITARY LANDFILL - A facility licensed and approved by the Pennsylvania Department of Environmental Resources for the disposal of solid waste where there is no reasonable probability of adverse effects on the public health or the environment from such disposal. A sanitary landfill shall be regulated as a solid waste disposal facility.

SATELLITE DISH ANTENNA - Any accessory structure capable of receiving radio or television signals from a transmitter or transmitter relay located in planetary orbit.

SCHOOL - Any place offering instruction in any branch of knowledge under the supervision of the Commonwealth of Pennsylvania or a lawfully constituted ecclesiastically governing body, person, partnership or corporation meeting the requirements of the Commonwealth of Pennsylvania.

COMMERCIAL SCHOOL - A school conducted for profit for such special instruction as business, art, music, trades, handicraft, dancing or riding.

SCREEN PLANTING - A vegetative material of sufficient height and density to conceal from the view of property owners on adjoining lots or in adjoining zones the structures and uses on the premises on which the screen planting is located.

SERVICE STATION - Any area of land, including structures thereon, that is used for the sale of gasoline or any other motor vehicle fuel and oil and other lubricating substances, including any sales of motor vehicle accessories at retail only, but not including major repairing, body and fender work, painting, vehicular sales or rental or automatic car washes.

SETBACK - The required horizontal distance between a structure and a property or street right-of-way line.

FRONT SETBACK- The required distance between the street right-of-way line and the front setback line projected the full width of the lot.

REAR SETBACK - The required distance between the rear lot line and the rear setback line projected the full width of the lot. Reverse frontage and double frontage lots will not have a rear setback.

SIDE SETBACK - The required distance between the side lot line and the side setback line projected from the front setback line to the rear setback line.

SETBACK LINE - A line within a property and parallel to a property or street line which delineates the required minimum distance that must be provided between a structure or building and an adjacent street line and/or property line.

SEXUAL CONDUCT - Ultimate sexual acts, normal or perverted, actual or simulated, involving a person or persons, or a person or persons and an animal, including acts of masturbation, sexual intercourse, fellatio, cunnilingus, anilingus or physical contact with a person's nude or partially denuded genitals, pubic area, perineum, anal region, or, if such person be female, a breast.

SEXUALLY EXPLICIT NUDITY - A sexually oriented and explicit showing or exhibition, by any means or manner, which presents or exposes to the viewer the following anatomical areas: the human genitals, pubic area, perineum, buttocks or anal region, with less than a frilly opaque covering; the covered human male genitals in a discernible turgid state; the post pubertal, full or partially developed human female breast with less than an opaque covering of a portion thereof below the top of the areola or nipple.

SHOPPING CENTER OR MALL - A group of stores planned and designed to function as a unit for the site on which it is located with off-street parking and landscaping provided as an integral part of the unit.

SIGN - Any surface, fabric, device or structure (including billboards or poster panel) bearing lettered, pictorial or sculptured matter designed for visual communication and used for the purpose of bringing the subject thereof to the attention of the public, but not including lettering or symbols that are an integral part of another structure; or any flag, badge, or other insignia of any government, government agency or of any civic, charitable, religious, fraternal or similar organization.

ADVERTISING SIGN - A sign whose major purpose is for directing attention to a business commodity, service, or entertainment conducted, sold or offered elsewhere than upon the same lot, such as billboards.

ATTACHED SIGN - A sign attached, painted or otherwise mounted parallel to the surface of that portion of the building or structure to which it is affixed.

BUSINESS SIGN - A sign directing attention to a business or profession conducted on the same lot or, as incidental to a business, to products sold upon the same lot.

DIRECTIONAL SIGN - An off-site sign which directs people to; a community; an event of public interest; public uses and buildings; uses and buildings of service and charitable organizations; and uses and buildings of commercial nature provided that no advertising matter other than identifying name or symbol shall be contained on signs of this type.

FREESTANDING SIGN - A sign supported by uprights or braces placed upon or in the ground and not attached to a building. Also includes signs mounted or transported on a vehicle, trailer or similar structure, with or without wheels, and not permanently attached to the ground, often referred to as a portable or mobile sign.

PORTABLE SIGN - A temporary sign, of any material, with or without changeable type lettering, illuminated or non-illuminated, mounted or transported on a vehicle, trailer or similar structure, with or without wheels, and not permanently attached to the ground, often referred to as a "mobile sign."

PROJECTING SIGN - A sign which is attached to a building or other structure and extends beyond the line of a building structure or beyond the surface of that portion of the building or structure to which it is attached.

SIDEWALK SIGN - Any "A" frame, inverted "V" shaped or similar structure resting on the ground with no permanent attachment and used for display as a temporary business sign.

SPECIAL EXCEPTION - A permission or approval granted an applicant to use land in a zone for a purpose other than that generally permitted outright in that zone. A special exception is granted by the Zoning Hearing Board in accordance with the terms, procedures and conditions prescribed in Articles VI and VII.

SOLAR ENERGY – Radiant energy (direct, diffuse and/or reflective) received from the sun. (2025-03)

SOLAR ENERGY FACILITIES – Solar energy systems either as part of a structure (“Accessory”) or as an independent structure (“Principal”) providing a significant fraction of the electricity, space heating, space cooling or domestic hot water heating for a permitted use in any zone shall be permitted as accessory uses subject to the following constraints: (2025-03)

ACCESSORY SOLAR ENERGY SYSTEM (ASES) – An area of land or other area used for a solar collection system principally to capture solar energy and convert it to electrical energy or thermal power and supply electrical or thermal power primarily for on-site use. An accessory solar energy system consists of one (1) or more free-standing ground or roof-mounted solar arrays or modules, or solar related equipment and is intended to primarily reduce on-site consumption of utility power or fuels. (2025-03)

GLARE – The effect produced by light with an intensity sufficient to cause annoyance, discomfort or loss in visual performance and visibility. (2025-03)

PRINCIPAL SOLAR ENERGY SYSTEM (PSES) – An area of land or other area used for a solar collection system used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for off-site use. Principal solar energy systems consist of one (1) or more free-standing ground or roof mounted solar related equipment and other accessory structures and buildings including light reflectors, concentrators and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures. (2025-03)

SOLAR EASMENT – A right, expressed as an easement, restriction, covenant, or condition, in any deed, contract or other written instrument executed by or on behalf of any landowner for the purpose of assuring adequate access to direct sunlight for solar systems. (2025-03)

SOLAR RELATED EQUIPMENT – Items including a solar photovoltaic (PV) cell, module, panel or array or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing and possibly foundations or other structures used for or intended to be used for collection of solar energy. (2025-03)

SOLAR ARRAY – A grouping of multiple solar modules with the purpose of harvesting solar energy. (2025-03)

SOLAR CELL – The smallest basic solar electric device which generates electricity when exposed to light. (2025-03)

SOLAR MODULE – A grouping of solar cells with the purpose of harvesting solar energy. (2025-03)

SOLAR PANEL – That part or portion of a solar energy system containing one or more receptive cells or modules, the purpose of which is to convert solar energy for use in space heating or cooling, for water heating and/or for electricity. (2025-03)

STORY - That portion of a building, excluding cellars, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between any floor and the ceiling next above it.

HALF STORY - A story under a gable, hip or gambrel roof: the wall plates of which on at least two (2) opposite exterior walls are not more than two (2) feet above the floor.

STREET - A public or private way, excluding driveways and access drives, which affords the principal means of access to abutting properties, intended to be used by vehicular traffic or pedestrians. Includes street, avenue, boulevard, road, highway, freeway, lane, viaduct and any other dedicated and accepted public right-of-way or private right-of-way.

STREET GRADE - The officially established grade of the street upon which a lot fronts or in its absence the established grade of other streets upon which the lot abuts at the midway of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such midpoint shall be taken as the street grade.

STREET LINE - A line defining the edge of a street right-of-way and separating the street from abutting property or lots. It is commonly known as the street "right-of-way line."

STRUCTURE - Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land, but excluding driveways, walkways and parking areas. (See Building.)

ACCESSORY STRUCTURE - A subordinate structure or a portion of the principal structure on a lot, the use of which is customarily incidental to that of the principal structure.

PERMANENT STRUCTURE - A structure which cannot readily be removed.

PRINCIPAL STRUCTURE - A structure which is directly involved in the principal use of the lot on which it is located.

SWIMMING POOL - Any pool or open tank containing, or normally capable of containing, water to a depth at any point greater than one and one-half (1 1/2) feet. Farm ponds and/or lakes are not included, provided that swimming is not the primary purpose for their construction.

~~**TRACT** - An area of land which may comprise the entire area or a sub-part of a parcel. Individual "tracts" within a parcel of land shall not constitute separate lots for the purpose of construction, permitting, or for the purposes of this Ordinance. Such tracts contained within a parcel shall be considered descriptive only. (Ord 2016-02)~~

USE - The specific purpose for which land or a structure is designed, arranged, intended, occupied or maintained.

ACCESSORY USE - A use customarily incidental and subordinate to the principal use, building or structure and located on the same lot with this principal use, building or structure.

PRINCIPAL USE - The main or primary use of property, buildings, or structures. Only one (1) principal use permitted by right or by special exception shall be permitted per lot. For example, only one (1) single family dwelling unit, one (1) commercial establishment or one (1) industrial establishment shall be permitted on an individual lot.

UTILITY SHED - A small building, having a floor area not exceeding one hundred, twenty (120) square feet and a height of not more than ten (10) feet, intended primarily for the storage of yard and garden equipment, bicycles and miscellaneous household items incidental to a dwelling and of the type customarily made of prefabricated materials, purchased, assembled and erected by the property owner. Such buildings shall not be used to house an automobile, and no access to such buildings shall lace a street right-of-way.

VARIANCE - The permission, granted by the Zoning Hearing Board, following a public hearing that has been properly advertised, for a particular modification to some regulation or provision of this Ordinance which, if strictly adhered to, would result in an unnecessary hardship, and where the permission granted would not be contrary to the public interest, and would maintain the spirit and intent of the Ordinance.

VEHICLE SALES LOT - An open lot for the outdoor display of new or used automobiles, recreational vehicles and/or similar vehicles.

VEI-HCLE SERVICE AND REPAIR FACILITY - A building on a lot designed and/or used primarily for mechanical and/or body repairs, storage, rental, servicing, or supplying of gasoline or oil to automobiles, recreational vehicles and similar vehicles.

VEHICLE WASHING FACILITY - A building on a lot, designed and used primarily for the washing and polishing of automobiles, recreational vehicles and similar vehicles and which may provide accessory services related to washing and polishing.

WAREHOUSE - A structure to be used for storage only of equipment and merchandise.

WHOLESALE ESTABLISHMENT - A business devoted to the sale of commodities in quantity chiefly to retailers, other merchants, or industrial, institutional and commercial users mainly for resale or business use. Such commodities shall be limited to durable goods, sundries, dry goods and non-perishable items.

YARD - A prescribed open area on a lot, unobstructed from the ground upward except as modified in this Ordinance.

FRONT YARD - An area bounded by the street right-of-way line, front wall of the principal building and side property lines. However, on a corner lot, the second front yard shall be an area bounded by the street right-of-way lines, side wall of the principal building and rear property line.

REAR YARD - An area bounded by the rear property line, rear wall of the principal building and side property lines. On corner lots, the rear yard shall be considered that area bounded by the rear wall of the principal building, the property line directly opposite the street of address, the side property line and the side wall pf the principal building facing the street of non-address.

SIDE YARD - An area, bounded by a side property line and the front, rear and side walls of the principal building. On corner lots, the side yard shall be considered the area between the side wall of the principal building, the property line opposite the street of non-address and the front and rear walls of the principal building.

ARTICLE III

ZONE REGULATIONS

SECTION 301 ZONES AND BOUNDARIES

- a) Establishment of Zones: The Township of Washington is divided into zones enumerated below and shown on the map entitled, "Zoning Map of Washington Township" which map is part of this Ordinance.

| | |
|----|----------------------------------|
| R | Rural Residential |
| W | Woodland Preservation |
| FW | Floodway Overlay |
| FF | Flood Fringe Overlay |
| FA | General Flood Plain Area Overlay |

- b) Boundaries of Zones: Where uncertainty exists as to the boundaries of the zones as shown on the Zoning Map, the following rules shall apply:
1. Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines.
 2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
 3. Boundaries indicated as approximately following municipality limits shall be construed as following municipality limits.
 4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
 5. Boundaries indicated as approximately following the centerlines of streams, rivers or other bodies of water shall be construed to follow such centerlines.
 6. Boundaries indicated as parallel to or extensions of features indicated in Subsections (1) through (5) shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
 7. Boundaries of the Woodland Preservation Zone shall be based upon the Zoning Officer's interpretation of the Township's 1971 aerial survey maps (800 scale), copyrighted by General Telephone and Electric Company of York, Pennsylvania. One copy of said aerial photos is available at the Washington Township Municipal Office.
 8. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map or in circumstances not covered by Subsections (1)

through (6), the Zoning Hearing Board shall interpret the zone boundaries.

- c) Lots Split by Boundaries of Zones: If a lot is split by a zoning boundary, the minimum lot area and lot width for the zone in which the principal building or use is to be located shall be applicable to the entire lot.

SECTION 302 USE REGULATIONS

- a) Uses Permitted: The uses permitted in the zones established by this Ordinance and the permitted extent of these uses are as shown in Sections 303 through 305. The uses shown as permitted in each zone are the only uses permitted in that zone. Unless otherwise noted, the use or dimensional standards are the requirements for each use. However,
 1. Additionally, general provisions are set forth in ARTICLE IV.
 2. Modifications to the use or dimensional requirements are set forth in ARTICLE IV.
 3. Supplementary regulations for various uses are set forth in ARTICLE V.
 4. Standards for Special Exception uses are set forth in ARTICLES VI and VII.
- b) All Other Uses: Any use not specifically allowed elsewhere in this Ordinance shall be allowed by Special Exception in the zone or zones where, and to the extent that, similar uses are permitted or allowed by Special Exception provided that said use meets the requirements for a Special Exception and does not constitute a public or private nuisance.
- c) Accessory Uses and Structures: Accessory uses and structures shall be permitted in conjunction with the principal uses permitted by this Ordinance and shall be further subject to the requirements for accessory uses and structures as set forth in Section 401.
- d) Uses With Nuisance Effect: In no case is a use permitted which by reason of noise, dust, odor, appearance, or other objectionable factor creates a nuisance, hazard, or other substantial adverse effect upon the reasonable enjoyment of the surrounding property unless otherwise allowed by law.

All agricultural practices, as defined in Section 203, shall be excluded from this provision in that they shall not be deemed uses with a nuisance effect.

SECTION 303 RURAL RESIDENTIAL ZONE (R)

- a) Purpose: The purpose of the Rural Residential Zone is to provide for orderly residential development; to encourage the preservation of the agricultural and rural character of the Township; to encourage appropriate residential subdivision design alternatives; to provide for the

public health and to prevent the overcrowding of land through the application of maximum housing densities; to provide standards which will encourage the installation of public facilities and the preservation of open space.

b) Uses by Right: The following uses, limited to one (1) principal use per lot, are permitted by right in the R Zone:

1. Agriculture – in addition to a single family detached dwelling (Ord 98-17)
2. Animal Hospital or Veterinary Office
3. Apartment in Conjunction with Commercial Establishment*
4. Bed and Breakfast Inn*
5. Cemetery*
6. Commercial School*
7. Family Day Care Home
8. Funeral Home*
9. Greenhouse, Horticultural Nursery*
10. Group Home
11. House of Worship*
12. Professional or Business Offices*
13. Riding Academy, Boarding Stable(s)*
14. Single Family Attached Dwellings*
15. Single Family Detached Dwelling
16. Single Family Semi-Detached Dwelling
17. Two Family Dwelling
18. Home Occupation with no customers, suppliers, employees or visitors (See Appendix VII, Ordinance 2000-06)
19. Flag Lots
20. Accessory Solar Energy Systems (2025-03)

* Additional regulations for these uses are set forth in Article V, Supplementary Regulations.

c) Uses by Special Exception: The following uses, limited to one (1) principal use per lot, shall be permitted as Special Exceptions when authorized by the Zoning Hearing Board. The Zoning Hearing Board shall hear and decide requests for such uses according to criteria established in ARTICLES VI and VII of this Ordinance.

1. Adult or Child Day Care Center, Nursery School
2. Adult Oriented Facility
3. Agricultural Equipment and Machinery Sales and Service
4. Airstrip, Airport
5. Campground, Recreational Vehicle Park
6. Club Room, Club Grounds, Lodge Meeting Hall
7. Commercial Recreational Establishment (Outdoor or Indoor)
8. Contractor's Office

9. Communication Transmitting and Receiving Facility
10. Convalescent Home, Nursing Home, Hospital
11. Domiciliary Care Home
12. Eating Establishment
13. Extractive Operations
- ~~14. Flag Lot~~
15. Group Day Care Home
16. Group Quarters
17. Half-way House
18. Heavy Storage, Sales and/or Service (Ex., Building Material Yard, Warehouse, Commercial Vehicles, Busses, Construction Equipment)
19. Heliport, Heliport
20. Home Occupation not permitted as a use by right (Ord 2000-06)
21. Industrial Activities involving -- manufacturing, processing, packaging, printing, publishing, production, repair or testing of materials, goods and products including those industries performing conversion and assembly, industrial laundries, and/or the repair of large appliances and equipment.
22. Industrial Park
23. Junkyard, Automobile Dismantling Plant
24. Kennel
25. Medical Clinic
26. Mini-Storage Facility
27. Mobile Home Park
28. Mobile Home Sales Lot
29. Motel, Hotel
30. Multi-Family Dwelling
31. Multi-Family or Two-Family Conversions
32. Outdoor Trap, Skeet, Rifle, Pistol or Archery Range
33. Park or Other Recreation Area of a Nonprofit Nature
34. Personal Care Boarding Home
35. Public Buildings and Facilities
36. Public Utility Building and/or Service Structure
37. Research and Development Laboratory
38. Retail Store, Personal Service Shop
39. Rooming House, Boarding House
40. Sawmill Operation
41. Service Station, Convenience Store Dispensing Fuel
42. Shopping Center or Mall
43. Solid Waste Processing and/or Disposal Facility
44. Transportation, Truck or Motor Freight Terminal
45. Vehicle Sales, Service and/or Repair Facility
46. Vehicle Washing Facility
47. Wholesale Establishment
48. Wholesale Vehicle Sales Terminal or Auction
49. Communications Tower (Ord 98-18)
50. Advertising (Billboard) Sign (Ord 2005-02-Incorrectly numbered 49-which is taken)
51. Principal Solar Energy Systems (2025-03)

d) Lot Area and Width: Lot area and lot width not less than the following dimensions shall be provided for each principal use hereafter established in the R Zone:

| | Public Water & Public Sewer | Public Water or Public Sever | No Public Water or Public Sewer | | | |
|--|--------------------------------|---------------------------------|------------------------------------|-----------|---------------|-----------|
| | Lot Area | Lot Width | Lot Area | Lot Width | Lot Area | Lot Width |
| Single Family | 20,000 | 100 ft./ | .10.000 | 125 ft./ | 1 acre | 150 ft./ |
| Semi Detached & Two Family Dwellings | sq. ft./ unit | unit | sq. ft./ unit | unit | unit | unit |
| Single Family Attached Dwellings | 4,000 sq. ft./ unit | 20 ft./ unit | NOT PERMITTED | | NOT PERMITTED | |
| All Other Issues | 15,000 SQ. FT. | 100 FT. | 30,000 SQ. FT. | 125 FT. | 1 ACRE | 150 FT. |

e) Setbacks: Each lot shall provide front, side and rear setbacks not less than the following:

- I. Front Setback - Single Family and Two-Family Dwellings: Thirty-five (35) Feet. Farm Buildings housing animals: One Hundred (100) Feet. All Other Uses: Fifty (50) Feet.
2. Each Side Setback - Single Family and Two-Family Dwellings: Twenty (20) Feet. Fann Buildings housing animals: One Hundred (100) Feet. All Other Uses: Fifty (50) Feet. Single family semi-detached and attached dwellings shall be considered as one (1) building for this purpose.
3. Rear Setback - Single Family and Two-Family Dwellings: Thirty (30) Feet. Farm Buildings housing animals: One Hundred (100) Feet. All Other Uses: Fifty (50) Feet.

f) Height: The height limit for a principal structure shall be two and one-half (2-1/2) stories, but not over thirty-five (35) feet, except that the height limit may be extended to three and one-half (3-1/2) stories but not over forty-five (45) feet if each yard is increased in width one (1) foot for each additional foot of height over thirty-five feet. The height limit for accessory structures shall be two (2) stories but not over twenty-five (25) feet. There shall be no height limitations for farm structures.

g) Lot Coverage: Not more than thirty (30) percent of the lot area may be covered

with an impervious surface.

h) Lot Allocations: The subdivision of parcels in the Rural Residential Zone for any use, other than agricultural uses not involving any additional residences, shall be subject to the following regulations:

1. Area Permitted to be Subdivided: A parcel of land as it existed on October 17, 1977, (date of enactment of original Zoning Ordinance) shall be permitted a maximum number of building lots as set forth in the chart below.

| Size of Parcel of Land as of October 17, 1977 | Maximum Number of Building Lots Permitted |
|--|--|
| 0 - 29.9 acres | 3 |
| 30 - 59.9 acres | 4 |
| 60 - 89.9 acres | 5 |
| 90 – 119.9 acres | 6 |
| 120 -149.9 acres | 7 |
| 150 -179.9 acres | 8 |
| 180 - 209.9 acres | 9 |
| 210 & Over acres | 10 |

2. A property owner submitting a final subdivision plan will be required to submit two (2) copies of a sketch plan indicating the general layout of the remaining acreage of the tract.

3. A property owner submitting a final subdivision plan shall not be required to include any lot of record existing on October 17, 1977, as a part of the lot allocation for his tract.

4. The lot allocation system set forth in Subsection 1. above shall not apply to those tracts supplied by both public water and public sewer systems.

i) Road Frontage Restrictions: The allocation of lots in Section 303.h) shall also be regulated as follows:

1. For each parcel in the R Zone, no more than three (3) allocated lots shall be permitted to have frontage on any existing road in the Township, regardless of the number of roads abutting the parcel.

2. For each parcel in the R Zone which is allocated four (4) or more lots, the following options shall be available to the landowner:

- a. The maximum of three (3) lots \With existing road frontage may be subdivided, the remainder of the lot allocation to remain un-subdivided.
 - b. The maximum of three (3) lots with existing road frontage may be subdivided; the remainder of the lot allocation to be subdivided according to Section 303J).
 - c. The total lot allocation may be subdivided according to Section 303.J)2.
- j) Bonus Provisions for Cluster Development: The following bonus provisions shall apply to all tracts in the R Zone subdivided either totally or partially according to the regulations for cluster development.
- 1. For each parcel in which only some of the total allocated lots are subdivided according to the regulations for cluster development, one additional lot shall be permitted to be added to the total lot allocation for such tract,
 - 2. For each parcel in which all of the total allocated lots are subdivided according to the regulations for cluster development, two (2) additional lots shall be permitted to be added to the total lot allocation for such parcel.
- k) Cluster Development Regulations: For each parcel in the Rural Residential (R) Zone, the following regulations and design standards shall apply to those lots subdivided as a cluster development:
- 1. All cluster development shall abut a cul-de-sac street or loop street which meets the design standards of the Washington Township Subdivision and Land Development Ordinance.
 - 2. All lot regulations included in Sections 303.d) through 303.g) shall apply to cluster developments except the following:
 - a. Minimum lot width shall be one hundred fifty (150) feet for all lots perpendicular to the cul-de-sac or loop street: measured at the street right-of-way line.
 - b. Minimum lot width shall be seventy-five (75) feet for all lots radial to the cul-de-sac turnaround or curvilinear portions of a loop street; measured at the required minimum front setback line, rather than the street line.

SECTION 304 WOODLAND PRESERVATION ZONE (W)

- a) Purpose: The primary purpose of the Woodland Preservation Zone is to protect the heavily wooded areas of the Township from intense development. Conservation of woodland

areas is encouraged in order to preserve visual amenities, prevent soil erosion, and protect wildlife preserves. The regulations for this zone are designed to limit residential development in wooded areas, to minimize conflicting land uses detrimental to wooded areas, and to prohibit incompatible land uses in wooded areas.

b) Uses by Right: The following uses, limited to one (1) principal use per lot, are permitted by right in the W Zone:

1. Agriculture in addition to a SFD detached (Ord 98-17)
2. Family Day Care Home
3. Forest, Wildlife Preserves
4. Greenhouse, Horticultural Nursery*
5. Group Home
6. Single Family Detached Dwelling
7. Single Family Semi-Detached Dwelling
8. Two Family Dwelling
9. Home Occupation (See Appendix VII, Ordinance 2000-06)
10. Accessory Solar Energy Systems (2025-03)

* Additional regulations for these uses are set forth in Article V, Supplementary Regulations.

c) Uses by Special Exception: The following uses, limited to one (1) principal use per lot, shall be permitted as Special Exceptions when authorized by the Zoning Hearing Board. The Zoning Hearing Board shall hear and decide requests for such uses according to criteria established in ARTICLES VI and VII of this Ordinance.

1. Campground, Recreational Vehicle Park
2. Club Room, Club Grounds, Lodge, Meeting Hall
3. Flag Lot
4. Home Occupation not permitted as a use by right (2000-06)
5. Kennel
6. Outdoor Trap, Skeet, Rifle, Pistol or Archery Range
7. Park or Other Recreation Area of a Non-Profit Nature
8. Public Utility Building and/or Service Structure
9. Retail Store, Personal Service Shop
10. Communications Transmitting and Receiving Facility (Ord 98-18) (See section 709)
10. Communications Tower (see section 709A)
11. Principal Solar Energy Systems (2025-03)

d) Lot Area and Width: Lot area and lot width not less than the following dimensions shall be provided for each principal use hereafter established in the W Zone:

1. Minimum Lot Area -Three (3) acres (130,680 sq. ft.).
2. Minimum Lot Width - Three hundred (300) feet

- e) Setbacks: Each lot shall provide front, side and rear setbacks, not less than the following:
 - 1. Front Setback - Single Family and Two-Family Dwellings: Thirty-five (35) Feet. Farm Buildings housing animals: One Hundred (100) Feet. All Other Uses: Fifty (50) Feet.
 - 2. Each Side Setback - Single Family and Two-Family Dwellings: Twenty-five (25) Feet. Farm Buildings housing animals: One Hundred (100) Feet. All Other Uses: Fifty (50) Feet.
 - 3. Rear Setback - Single Family and Two-Family Dwellings: Forty (40) Feet. Farm Buildings housing animals: One Hundred (100) Feet. All Other Uses: Fifty (50) Feet.

- f) Height: The height limit for a principal structure shall be three (3) stories, but not more than thirty-five (35) feet. The maximum height limit may be increased to fifty (50) feet provided that each minimum yard area is increased in size one (1) foot for each additional one (1) foot of structure height over thirty-five (35) feet. The height limit for an accessory structure shall be two stories, but not over twenty-five (25) feet. There shall be no height limitations for agricultural structures.

- g) Lot Coverage: Not more than twenty percent (20%) of the lot area may be covered with an impervious surface.

- h) Lot Allocations: The subdivision of parcels in the Woodland Preservation Zone for any use, other than agricultural uses not involving any additional residences, shall be subject to the following regulations:
 - 1. Area Permitted to be Subdivided: A parcel of land, as it existed on October 17, 1977, (the date of enactment of the original Zoning Ordinance) shall be permitted a maximum number of building lots as set forth in the chart below.

| Size of Parcel of Land as of October 17, 1977 | Maximum Number of Building <u>Lots Permitted</u> |
|--|---|
| 0 - 29 acres | 3 |
| 30 - 59.9 acres | 4 |
| 60 - 89.9 acres | 5 |
| 90 - 110.0 acres | 6 |
| 120 - 149.9 acres | 7 |
| 150 - 179.9 acres | 8 |
| 180 - 209.9 acres | 9 |
| 210 & Over acres | 10 |

2. A property owner submitting a final subdivision plan will be required to submit two (2) copies of a sketch plan indicating the general layout of the remaining acreage of the parcel.
3. A property owner submitting a final subdivision plan shall not be required to include any lot of record existing on October 17, 1977, as a part of the lot allocation for his parcel.
4. The lot allocation system in Subsection 1. above shall not apply to those parcels supplied by both public water and public sewer systems.

i) Road Frontage Restrictions: The allocation of lots in Section 304.h) shall also be regulated as follows:

1. For each parcel in the W Zone, no more than three (3) allocated lots shall be permitted to have frontage on any existing road in the Township, regardless of the number of roads abutting the parcel.

j) Land Clearing: A maximum of one (1) acre of land may be clear cut per each three (3) acres of lot area.

Any proposed removal of trees in excess of this permitted amount shall require a variance. A written plan for the replacement of those trees shall be submitted as part of the application for a variance and shall also be approved by the Zoning Hearing Board.

SECTION 305 FLOOD PLAIN OVERLAY ZONES - FLOODWAY (FW), FLOOD FRINGE (FF), GENERAL FLOOD PLAIN AREA (FA)

- a) Purpose: The purpose of these zones is to prevent the loss of property and life, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief: and the impairment of the tax base by:
1. Regulating uses, activities, and development which, acting alone or in combination with other existing or future uses, activities, and development, will cause unacceptable increases in flood heights, velocities and frequencies.
 2. Restricting or prohibiting certain uses, activities, and development from locating within areas subject to flooding.
 3. Requiring all those uses, activities, and developments that do occur in flood-prone areas to be protected and/or floodproofed against flooding and flood damage.

4. Protecting individuals from buying land and structures which are unsuited for intended purposes because of flood hazards.

- b) **Warning and Disclaimer of Liability:** The degree of flood protection sought by the provisions of this Ordinance is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Ordinance does not imply that areas outside, the Flood Plain Zones, or that land uses permitted within such zones will be free from flooding or flood damages.

This Ordinance shall not create liability on the part of Washington Township or any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made thereunder.

- c) **Establishment of Flood Plain Zones:**

1. **Description of Zones**

- a. **Basis of Zones:** The various Flood Plain Zones shall include areas subject to inundation by waters of the one hundred (100) year flood. The basis for the delineation of these zones shall be the Flood Insurance Study prepared for the Federal Insurance Administration (FIA) dated September 1982.

- 1) The Floodway Zone (FW) is delineated for purposes of this Ordinance using the criteria that a certain area with the flood plain must be capable of carrying the waters of the one hundred (100) year flood without increasing the water surface elevation of that flood more than one (1) foot at any point. The areas included in this zone are specifically defined in Table I of the above referenced Flood Insurance Study and shown on the accompanying Flood Boundary and Floodway Map.
- 2) The Flood-Fringe Zone (FF) shall be that area of the one hundred (100) year flood plain not included in the Floodway Zone. The basis for the outermost boundary of this zone shall be the one hundred (100) year flood elevations contained in the flood profiles of the above referenced Flood Insurance Study (FIS) and as shown on the accompanying Flood Boundary and Floodway Map.
- 3) The General Flood Plain Zone (FA) shall be that flood plain area for which no detailed flood profiles or elevations have been provided. Such areas are shown on the Flood Boundary and

Floodway Map accompanying the FIS prepared for the FIA. Where the specific one hundred (100) year flood elevation cannot be determined for this area using other sources of data such as the U.S. Army Corps of Engineers, Flood Plain Information Reports, U.S. Geological Survey Flood Prone Quadrangles, etc., then the applicant for the proposed use, development and/or activity shall determine this elevation in accordance with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by Professional Engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Township.

b. Overlay Concept

- 1) The aforementioned Flood Plain Zones shall be overlays to the existing underlying zones as shown on the Official Zoning Map, and as such, the provisions for the Flood Plain Zones shall serve as a supplement to the underlying zone provisions.
 - 2) Where there exists any conflict between the provisions or requirements of any of the Flood Plain Zones and those of any underlying zone the more restrictive provisions shall apply.
2. Inclusion in Zoning Map: The boundaries of the Flood Plain Zones are established as shown by the Flood Boundary and Floodway Map, dated March 2, 1983, prepared for the Federal Insurance Administration. Said map is hereby incorporated into and made a part of the Official Zoning Map of Washington Township kept on file at the Township Office and is available for inspection during regular office hours.
 3. Zone Boundary Changes: The delineation of any of the Flood Plain Zones may be revised by the Board of Supervisors where natural or man-made changes have occurred and/or more detailed studies conducted or undertaken by the U.S. Army Corps of Engineers, or other qualified agency or individual documents the advisability for such change. However, prior to any such change, approval must be obtained from the Federal Insurance Administration (FIA) or its successor agency.
 4. Interpretation of Zone Boundaries: Initial interpretations of the boundaries of the Flood Plain Zones shall be made by the Zoning Officer. Should a dispute arise concerning the boundaries of any of the zones the person questioning or contesting the location of the zone boundary shall be given a reasonable opportunity to present his case to the Township Zoning Hearing Board and to submit

his own technical evidence if he so desires, Should the person choose to have the zone boundary changed to reflect more accurate flooding data, he must follow the procedures to present his case to the Board of Supervisors for a zoning amendment.

- d) Zone Provisions: All uses, activities, land filling and development occurring within a Flood Plain Zone shall be undertaken, only in strict compliance with the provisions of this Ordinance, the Township Floodplain Management Ordinance, and with all other applicable codes and ordinances such as the Township Building Permit Ordinance.

ARTICLE IV

GENERAL PROVISIONS

SECTION 401 ACCESSORY USES AND STRUCTURES

- a) Attached Structures: A permanent-roofed accessory structure, attached to the principal structure, is considered a part of the principal structure for all regulatory purposes.
- b) Nonattached Structures: Any accessory structure [except for farm buildings housing animals which are governed by Sections 303e) and 304e)] standing apart from the principal structure, is permitted in rear yards, provided that such structure is a minimum of twenty (20) feet from the side and rear property lines and is not located within any required front setback area. Utility sheds shall not be located closer than ten (10) feet to any side or rear property line. Apartments or other living quarters shall not be permitted in an accessory structure. All other requirements for a nonattached structure shall be the same as for a principal structure. (Ord 99-01)
- c) Fences and Walls: In all zones, fences and walls, except a retaining wall or wall of a building, must comply with the following provisions:
1. On any lot used for residential purposes, no fence or wall shall be erected to a height of more than three (3) feet in a front yard, or more than six (6) feet in a side or rear yard.
 2. For all other uses, no fence or wall shall be erected to a height of more than eight (8) feet unless otherwise specified in this Ordinance.
 3. In all zones, fences may be located up to, but not on, the lot line.
 4. A clear sight triangle must be maintained at all street intersections.
- ~~d) Solar and Wind Energy Facilities: Solar or wind energy systems either as part of a structure or as an independent structure providing a significant fraction of the electricity, space heating, space cooling or domestic hot water heating for a permitted use in any zone shall be permitted as accessory uses subject to the following constraints:~~
- ~~1. Solar Energy Systems~~
 - ~~a. Solar energy systems shall be permitted in any yard area except the front yard area. Flush mounted units, however, may be mounted on any portion of the structure.~~
 - ~~b. No solar energy system located on the ground shall exceed a height~~

~~of fifteen (15) feet.~~

- ~~e. The maximum ground coverage of a structure supporting a solar collector shall not exceed twenty five percent (25%) of the area of the ground floor of the principal building. Solar collectors and/or solar energy systems, however, shall not be included in the lot coverage calculations provided their installation will not create adverse storm water problems and will not significantly detract from the groundwater recharge potential of the immediate vicinity.~~
- ~~d. Solar energy systems can be located within ten (10) feet of a side or rear property line provided that no portion of the structure or architectural features needed for operation of the system projects over the property line; its location does not interfere with sight distance at street intersections; and that existing solar energy systems will not be substantially impaired by shadowing more than ten percent (10%) of the collector area between 9:00 a.m. and 3:00 p.m. on a clear winter solstice (December 21) day.~~
- ~~e. Solar Energy Systems must be reasonably installed and sited in the most aesthetic and architecturally compatible method possible, whether as part of a structure or incidental to a structure or group of structures nearby. (Removed Ordinance 2025-03) (added the following Ord 2025-03)~~
- a. Permitted Zones:** Accessory Solar Energy Systems (ASES) shall be permitted as a Use by Right in all zones.
- b. Compliance with Industry Standards:** The ASES layout, design, installation and ongoing maintenance shall conform to applicable industry standards such as those of the American National Standards Institute (ANSI) Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporations (SRCC), Electrical Testing Laboratory (ETL), Florida Solar Energy Center (FSEC) or other similar certifying organization, and shall comply with this Ordinance, shall comply with the PA Uniform Construction Code as enforced by and with all applicable fire and safety regulations. The manufacturer specifications for the key components of the system shall be submitted as part of the permit application.
 - i. All on-site utilities, transmission lines, and plumbing shall be placed underground to the greatest possible extent.
 - ii. The ASES shall be designed to use all energy created solely on site.
 - iii. Signage shall comply with the minimum size required by applicable industry standards.
 - iv. All solar energy systems should be designed and located to ensure solar access without reliance on and/or interference from adjacent properties.
- c. Installers:** ASES installers must demonstrate that they are listed as a certified installer on the PA Department of Environmental Protection's (PA DEP) approved solar installer list or that they meet the criteria to be a PA DEP approved solar installer by meeting or exceeding one of the following requirements for Photovoltaic (PV) installation:

- i. Is certified by the North American Board of Certified Energy Practitioners (NABCEP).
 - ii. Has completed an Interstate Renewable Energy Council (IREC) Institute for Sustainable Power Quality (ISPQ) accredited PV training program or a PV manufacturers training program and successfully installed a minimum of three PV systems.
 - iii. For residential applications, a registered home improvement contractor with the Attorney General's office.
- d. Maintenance:** Upon completion of installation, the ASES shall be maintained in accordance with standards of Washington Township and any other code under which the ASES was constructed. Failure of the property owner to maintain the ASES in good working order is grounds for appropriate enforcement actions by Washington Township in accordance with applicable ordinances.
- e. Utility Notification:** The owner of an ASES shall give written confirmation to the public utility and to Washington Township that the company to which the ASES will be connected has been informed of the customer's intent to install a grid connected system and approved of such connection. Off-grid systems shall be exempt from this requirement.
- f. Signage:** The display of advertising is prohibited except for reasonable identification of the manufacturer of the system.
- g. Glare:** All ASES shall be placed such that concentrated solar radiation or glare does not project onto nearby structures or roadways.
 - i. The applicant has the burden of proving that any glare produced does not have significant adverse impact on neighboring or adjacent uses either through citing or mitigation.
- h. Permit Requirements:**
 - i. Zoning/Building Permit applications shall document compliance with this Ordinance and shall be accompanied by drawings showing the location of the system on the building or property including property lines. Permits shall be kept on the premise where ASES is constructed.
 - ii. The Zoning/Building Permit shall be revoked if the ASES, whether new or pre-existing, is moved or otherwise altered, either intentionally or by natural forces, in a manner which causes the ASES not to be in conformity with this Ordinance.
 - iii. The ASES must be properly maintained and be kept free from all hazards, including but not limited to faulty wiring, loose fastenings, being in an unsafe condition or detrimental to public health, safety or general welfare. In the event of a violation of any of the foregoing provisions, the Zoning Officer shall give written notice specifying the violation to the owner of the ASES to conform or to remove the ASES.
 - iv. Routine maintenance or like-kind replacements do not require a permit.
- i. Roof Mounted and Wall Mounted Accessory Solar Energy Systems**
 - i. Location and Height:
 - a. A roof mounted or wall mounted ASES may be located on a principal or accessory building.

- b. Roof mounted solar panels shall be located only on rear or side facing roofs as viewed from any adjacent street unless the applicant demonstrates that, due to solar access limitations, no location exists other than the street facing roof, where the solar energy system can perform effectively.
 - c. The total height of a building with an ASES shall not exceed by more than five (5) feet the maximum building height specified for principal or accessory buildings within the applicable zoning district.
 - ii. Setbacks:
 - a. Wall mounted ASES shall comply with the setbacks for principal or accessory buildings in the applicable zoning district.
 - b. Solar panels shall not exceed beyond any portion of the roof edge.
 - iii. Code Compliance:
 - a. For roof and wall mounted systems, the applicant shall provide evidence that the plans shall comply with the Uniform Construction Code and adopted building code of Washington Township and that the roof or wall can hold the load imposed on the structure.
- j. Ground Mounted Accessory Solar Energy Systems**
 - i. **Setbacks:**
 - a. The minimum setbacks from side and rear property lines shall be equivalent to the principal building setbacks in the applicable zoning district.
 - b. A ground mounted ASES shall not be located in the required front setback.
 - c. Ground mounted ASES are prohibited in front yards unless unique physical circumstances or conditions exist that preclude it from being located in a side or rear yard. Such physical conditions may include, but are not limited to, restricted solar access in other yards, other resource constraints, unusual situation of the principal use of the parcel, etc.
 - d. Freestanding ground mounted ASES shall not exceed the maximum accessory structure height in the applicable zoning district.
 - ii. **Coverage:**
 - a. The area beneath the ground mounted ASES is considered pervious cover. However, use of impervious construction materials under the system could cause the area to be considered impervious and subject to the overall lot coverage requirement for the applicable zoning district.
 - b. The following components of an ASES shall be considered impervious coverage and calculated as part of the impervious coverage limitations for the underlying zoning district:
 - 1. Foundation systems, typically consisting of driven piles or monopoles or helical screws with or without small concrete collars.
 - 2. All mechanical equipment of ASES including any structure for batteries or storage cells.
 - 3. The applicant shall submit a stormwater management plan that demonstrates stormwater from the ASES will infiltrate into the ground beneath the ASES at a rate equal to that of the infiltration rate prior to the placement of the system. ASES owners are encouraged to use low maintenance and/or low growing vegetative surfaces under the system as a best management practice for stormwater management.

- c. Ground mounted ASES shall not be placed within any legal easement or right-of-way location, or be placed within any stormwater conveyance system, or in any manner that would alter or impede stormwater runoff from collecting in a construed stormwater conveyance system.
- d. If a ground mounted ASES is removed, any earth disturbance as a result of the removal of the ASES shall be graded and reseeded. (Ord 2025-03)

2. Wind Energy Systems

- a. Wind energy systems shall be permitted in any yard area except the front yard area.
 - b. The setback from any lot line must be equal to the height of the tower, plus the length of the longest extension of the rotor plus ten (10) feet.
 - c. Climbing access to the tower shall be secured from use by unauthorized persons.
- e) Satellite Dish Antenna: Any accessory structure capable of receiving, for the sole benefit of the principal use, radio or television signals from a transmitter or transmitter relay located in planetary orbit shall be subject to the following constraints:
- 1. Such devices shall not be placed within or extend into any required setback area.
 - 2. Satellite dish antenna shall be permitted in any yard except the front yard area.
 - 3. No ground-mounted dish antenna used for residential purposes shall exceed an overall diameter of twelve (12) feet or an overall height of fifteen (15) feet.
 - 4. Only one (1) antenna is permitted per residential building lot
- f) Outdoor Swimming Pools:

The following regulations apply to any outdoor pool or open tank capable of containing water to a depth greater than one and one-half (1-1/2) feet:

- 1. Every outdoor swimming pool shall conform to all applicable requirements of State law.
- 2. An outdoor swimming pool is permitted in any yard area, except the front yard area, provided that it is at least twenty (20) feet from the side and rear property lines and not located within any required front setback area.
- 3. Every in-ground swimming pool must be completely surrounded by a fence or wall that has a height of not less than four (4) feet above the ground. The fence or wall shall be constructed so as not to have openings, holes or gaps larger than six (6) inches in any dimension. All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in actual use, except that the door of any dwelling which forms a

part of the enclosure need not be so equipped.

4. Every above-ground swimming pool shall meet one (1) of the following provisions:
 - a. In cases where the top of the pool, at all points, is at least four (4) feet above the ground level, such pool shall be equipped with a removable or retractable ladder which must be removed or retracted when not in use, unless surrounded by a separate fence or wall meeting the requirements of Subsection 3. above.
 - b. In cases where any portion of the pool is less than four (4) feet above ground level, or if a deck and steps are constructed, a separate fence or wall meeting the requirements of Subsection 3. above must be provided.
 5. Water shall not be discharged from any swimming pool onto any public street.
 6. All fences, walls, doors, gates and ladders required per this Section shall be maintained in good condition and shall not be allowed to become dilapidated.
 7. Agricultural use ponds shall be excluded from the requirements of this Section.
- g) Farm Produce Stands: The sale at retail of agricultural products is permitted in any zone on the property where they were produced subject to the following regulations:
1. A farm produce stand may be located in any yard area provided that it is at least ten (10) feet from any property line.
 2. Such stands must be removed when products are no longer on sale.
 3. Agricultural products not produced on the property where sold, may be sold at retail on a farm provided:
 - a. The products were produced on lands farmed by the owner of the farm on which they are being sold.
 - b. The seller is an occupant of the farm on which the products are being sold.
 - c. The sale of such products is clearly accessory to the principal use.

SECTION 402 UNENCLOSED STORAGE

- a) Inoperable Motor Vehicles: Except as provided in Section 723 of this Ordinance, only one (1) inoperable motor vehicle shall be stored on a lot unless stored within a totally enclosed building. On-street parking of inoperable motor vehicles is prohibited.
- b) Recreational Vehicles, Boats, Trailers and Trucks: On-street parking of recreational vehicles, boats, and trailers and/or trucks with a vehicle rating over three-quarter (3/4) ton is prohibited.

Such vehicles shall be stored only on lots improved with dwelling units occupied by the owner of the vehicle provided that:

1. The vehicle shall not project beyond the front line of the dwelling.
 2. Should the vehicle be stored in a side or rear yard, such vehicle shall be stored at least three (3) feet from all property lines.
- c) Outdoor Stockpiling: No outdoor stockpiling of any material or outdoor storage of trash is permitted in any front yard area. Tire stockpiles, pipes, automobile parts and similar objects and materials must be stored in an enclosed building or structure.
- d) Trash, Garbage, Refuse or Junk: Except as provided in Sections 724 or 745 of this Ordinance or other Township Ordinances (such as the Junk Ordinance or the Solid Waste Ordinance), the outdoor accumulation of trash, garbage, refuse or junk for a period exceeding fifteen (15) days is prohibited.

SECTION 403 SETBACK MODIFICATIONS

- a) Front Setbacks from Major Thoroughfares: For the purpose of protecting residential use from adverse influences of traffic and for the purpose of protecting major thoroughfares for their traffic functions, buildings (including residential and non-residential buildings) along these thoroughfares must be set back at least fifty (50) feet from the right-of-way line of the thoroughfare. Major thoroughfares are the arterial streets and collector streets as specified in the Washington Township Comprehensive Plan plus any street constructed to meet the arterial or collector street design standards as set forth in the Township Subdivision and Land Development Ordinance and as designated by the Washington Township Planning Commission.
- b) Front Setback of Buildings on Built-up Streets: Where at least two (2) buildings are-
1. fronting on the same side of the street as the lot in question,
 2. within the same block as the lot in question,
 3. setback a lesser distance than required, and
 4. not more than one hundred (100) feet from the lot in question,

The average of the lesser setbacks shall become the required minimum front setback for the lot.

- c) Setback on Corner Lots: In the case of corner lots, two (2) front setbacks shall be provided (the second of which will exist in lieu of one (1) side setback).
- d) Setback on Reverse Frontage or Double Frontage Lots: In the case of reverse frontage or double frontage lots, two (2) front setbacks and two (2) side setbacks shall be required.
- e) Accessory or Appurtenant Structures:

The setback regulations do not apply to the following provided that they are not located within the clear sight triangle:

1. Telephone booths, minor utility structures, cornices, eaves, chimneys, steps, canopies and similar extensions including unenclosed and uncovered porches.
 2. Open fire escapes.
 3. Articles of ornamentation or decoration.
 4. Retaining walls.
 5. School bus shelters, which shall be required to have setbacks adequate to provide for safe clear sight distance between driveways and the streets with which they intersect.
- f) Sight Distance: Proper sight lines must be maintained at all street intersections. Measured along the centerline of the street, there must be a clear sight triangle with sides as follows:

| | <u>Street</u> | <u>Clear Sight Triangle</u> |
|---------------------|---------------|-----------------------------|
| Major Thoroughfares | | 150 feet |
| Minor Streets | | 75 feet |

No building or construction is permitted in this area except as follows:

1. Obstructions or plantings less than three (3) feet in height.
2. If not obstructing view of traffic, post columns and trees not exceeding one (1) foot in diameter.

SECTION 404 HEIGHT MODIFICATIONS

The height regulations do not apply to the following projections provided that the height of any such projection above its base shall not be greater than the shortest distance measured along a horizontal plane from such base to any lot line:

- a) Structures such as chimneys, standpipes, flagpoles, television antennas or radio towers.
- b) Structures on buildings such as clock towers, cupolas, water tanks, and other mechanical appurtenances, if such structures, at any level, do not cover more than twenty-five percent (25%) of the roof on which they are located.
- c) Parapet walls or cornices used solely for ornamental purposes if not in excess of five (5) feet in height above the roof line.
- d) Farm buildings.
- e) ~~Communications Transmitting and Receiving Facilities shall not exceed 50 feet in height. Communications Towers shall not exceed 180 feet in height including the antennae. In any event, the height of the tower shall not exceed the distance between the public road, street, or highway right-of-way and the tower or the distance between the closest structure and the tower. (Ord 1998-18)~~
 (Ord 2002-02) Communication Transmitting and Receiving Facilities shall not exceed 50 feet in height. Communication Towers shall not exceed 180 feet in height including antennae. In any event, the height of

the Tower shall not exceed the distance between the public road, street or highway right-of-way and the Tower plus 20 feet or the distance between the closest structure or the property line and the Tower plus 20 feet.

(Ord 2012-02 added the next sentence)

The Tower shall not exceed the distance between the public road, street, or highway right-of-way and the tower plus 20 feet or the distance between the closest structure or the property line and the tower plus 20 feet. (Ord 2012-02)

SECTION 405 MINIMUM HABITABLE FLOOR AREA

Section 405 deleted (Ord 98-15)

SECTION 406 OUTDOOR SIGNS

a) General Regulations for All Signs

1. Determination of Size: The size of the sign shall refer to the area of the sign facing, including any border framing or decorative attachments. In the case of open signs made up of letters, figures and designs the space between such letters, figures and designs shall be included. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that where two (2) such faces are placed back to back and at no point more than three (3) feet from one another, the area of the sign shall be taken as the area of one (1) face if the two (2) faces are of equal area, or as the area of the larger face if the two (2) faces are of unequal size.

2. Location/Projection of Signs:

- a. Signs must be located so that they do not interfere with any clear sight triangle as defined by this Ordinance.
- b. For all uses, an advertising sign and a business sign must be at least sixty (60) feet apart, and no sign exceeding thirty (30) square feet in area may be located within seventy-five (75) feet of a residential use.
- c. No sign may project over a public sidewalk area or over a public highway or street unless specifically authorized by other Township or State regulations.

d. Section deleted. (Ord 02-2005)

3. Illumination of Signs:

- a. Flashing, rotating and intermittent lights are not permitted.

- b. A sign may be illuminated only if the lighting is so screened that it is not directed or reflected toward any adjacent residence, or so it does not obstruct the vision of motorists.
 - c. Signs which are illuminated in the colors red, green, or amber, either by colored bulbs or tubing, or in high reflection using special preparations such as fluorescent paint or glass, may not be located within a radius of two hundred (200) feet of a highway traffic light or similar safety device or from the center of any street intersection.
4. Signs Painted on Buildings: Advertising painted upon, or displayed upon, a barn or other building or structure shall be regarded as an advertising signboard and the regulations pertaining thereto shall apply.
 5. Signs Within a Building: Nothing in these regulations shall be construed as prohibiting signs intended for viewing principally from within a building or signs temporarily attached to the inside face of a display window, announcing a sale or similar feature, provided that the latter shall not occupy more than thirty-three and one-third percent (33 1/3%) of the total display window area for a period not to exceed ten (10) days. Such signs shall be permitted in addition to any of the specific sign types designated on the charts to follow.
 6. Construction and Maintenance: Signs must be constructed of durable materials, maintained in good condition, and not allowed to become dilapidated.
 7. Termination of Enterprise: Upon termination or abandonment of a commercial or industrial use, all signs pertaining to the enterprise must be removed.

b) Permitted Permanent Signs

Only the types of permanent signs listed on Chart A, which follows, shall be permitted throughout the Township. Permanent signs must conform to the standards set forth in Chart A as well as satisfy the general regulations of Subsection a). Building permits shall be required for all permanent signs.

c) Permitted Temporary Signs

Only the types of temporary signs listed on Chart B, which follows, are permitted throughout the Township. Temporary signs must conform to the standards set forth in Chart Bas well as satisfy the general regulations of subsection a).

d) Advertising Signs

Advertising Signs shall be permitted in any zone subject to the provisions of Subsection a) of this Section and the following criteria:

1. Only one (1) advertising sign per lot shall be permitted.
2. No advertising sign shall exceed an overall size of one hundred fifty (150) square feet, nor exceed thirty-five (35) feet in height.
3. No advertising sign shall be located within three hundred (300) feet of another advertising sign.
4. All advertising signs shall be a minimum of fifty (50) feet from all side and rear property lines.
5. All advertising signs shall be set back a minimum of (35) feet from any street right-of- way line.
6. No advertising sign shall obstruct the vision of motorists or adjoining commercial or industrial uses which depend on visibility for identification.

| CHART A PERMITTED PERMANENT SIGNS | | | | | | | |
|---|---|---------------------------|--|----------------------------|-----------------------------|---|------------------------|
| <u>Sign Type</u> | <u>Max Number Permitted</u> | <u>Max Area Permitted</u> | <u>Minimum Setback From Right of Way</u> | <u>Max Height Attached</u> | <u>Max Height Freestand</u> | <u>Maximum Projection From Building (Attached sign)</u> | <u>Zone Permitted</u> |
| P-1: All signs & signals owned & operated by the Township | ----- | ----- | ----- | ----- | ----- | ----- | Both |
| P-2: Identification and information for public & semi-public facilities, such as schools, churches, public utilities, clubs, hospitals, libraries, historical, etc | 1 free-standing and/or 1 attached | 20 sq.ft. per lot (total) | 10 ft. | Height of | 10 ft building | 12 inches | Where use is permitted |
| P-3A: Nameplates identifying owner or resident of private property (excluding mailbox) | 1 per dwelling unit | 12 sq ft per sign | 5 ft | ----- | 15 ft | 12 inches | RR |
| P-3B: Nameplates identifying owner or resident of private property (excluding mailbox) | 1 per dwelling unit | 2 sq ft per sign | 5 ft | ----- | 6 ft | 12 inches | Both |
| P-4: Signs indicating the private nature of a road, driveway, or other premises and signs controlling the use of private property, such as prohibition of hunting, fishing, or trespassing | 2 per street frontage of 1 for each 100 ft of street frontage, whichever is greater | 2 sq ft per sign | 55 ft | ----- | 6 ft | 12 inches | Both |

| | | | | | | | |
|---|--------------------------------------|------------------|-------|--------------------|-------|-------|------------------------|
| P-5: On-site directional signs | 2 per street frontage used as access | 2 sq ft per sign | 2 ft | Height of building | 6 ft | 12 in | Both |
| P-6: Off-site directional signs | 1 per lot | 2 sq ft per sign | 2 ft | Height of building | 3 ft | 12 in | Both * |
| * With permission of landowner on which sign is placed. Not permitted on traffic or utility poles. | | | | | | | |
| P-7: Identification sign for a residential subdivision or multi-family development | 1 per street frontage | 20 sq ft | 10 ft | | 10 ft | | Where use is permitted |

P-8: Business signs for the purpose of identification of a permitted use on the property on which the use exists (excludes complexes such as shopping centers, malls, multi-use buildings, industrial parks and individual stores or businesses within such complexes)

| | | | | | | | |
|---|-----------------------|--|-------|--------------------|-------|-------|---|
| P-8A: Freestanding business sign | 1 | 1 sq ft per 2 lineal ft of lot frontage; not to exceed 20 sq ft | 10 ft | _____ | 15 ft | _____ | R |
| P-8B: Attached business sign | 1 per street frontage | 4 percent of the total wall area to which the sign is attached; not to exceed 20 sq ft per sign | _____ | Height of building | _____ | 12 in | W |
| P-8C: Attached business sign | 1 per street frontage | 25 percent of the total wall area to which the sign is attached; not to exceed 20 sq ft per sign | _____ | Height of building | _____ | 12 in | R |

P- 9: Business signs for shopping centers, malls, multi-use buildings and industrial parks (complexes)

| | | | | | | | |
|---|-----------------------|---|-------|--------------------|-------|-------|---|
| P9A: Freestanding business sign for complex - Note: Individual stores or businesses are prohibited from having individual freestanding signs | 1 per street frontage | 1 sq ft per lineal ft of lot frontage: not to exceed 100 sq ft per sign | 10 ft | _____ | 15 ft | _____ | R |
| P9B: Attached business sign for complex | 1 per street frontage | 1 sq ft per lineal ft of wall onto which sign is to be affixed not to | _____ | Height of building | 12 ft | _____ | R |

| | | | | | | | |
|--|-------------------------|--|-------|--------------------|-------|-------|---|
| | | exceed 100 sq ft | | | | | |
| | | | | | | | |
| P-9C: Attached business sign for individual stores or business within a complex | 1 per store or business | 1 sq ft per lineal ft of building frontage, not to exceed 10 sq ft | _____ | Height of building | _____ | 12 in | R |

P-10 – Delete – Advertising sign

| CHART B PERMITTED TEMPORARY SIGNS | | | | | | | |
|---|---|---------------------------|--|----------------------------|-----------------------------|---|---|
| <u>Sign Type</u> | <u>Max Number Permitted</u> | <u>Max Area Permitted</u> | <u>Minimum Setback From Right of Way</u> | <u>Max Height Attached</u> | <u>Max Height Freestand</u> | <u>Maximum Projection From Building (Attached sign)</u> | <u>Zone Permitted</u> |
| T-1: Signs identifying architects, engineers, contractors or others engaged in construction work on the premises where their work is proceeding. | 1 per each separate firm involved in work on the site | 6 sq ft per sign | 10 ft | Height of building | 10 ft | 12 in | Both |
| SIGN IS TO BE REMOVED UPON COMPLETION OF WORK OR OCCUPANCY OF THE BUILDING WHICHEVER COMES FIRST | | | | | | | |
| T-2: Real estate signs on individual properties that are for sale, rent or lease, or which have been sold, rented or leased. | 2 per street frontage of the lot | 6 sq ft per sign | 10 ft | Height of building | 10 ft | 12 in | Both |
| SIGNS TO BE REMOVED WITHIN ONE WEEK OF SALE, RENT OR LEASE AGREEMENT | | | | | | | |
| T-3: Signs announcing proposed housing developments, apartment complexes, or commercial, industrial or other non-residential development | 1 per street frontage | 24 sq ft per sign | 10 ft or building face | Height of building | 10 ft | 12 in | Where use is permitted and development approved |
| SIGNS TO BE REMOVED UPON 90% COMPLETION OF DEVELOPMENT OR WITHIN ONE YEAR OF ERECTION OF THE SIGN WHICHEVER OCCURS FIRST | | | | | | | |

| | | | | | | | |
|---|--|-------------------|------------------------|--------------------|-------|-------|---|
| T-4: Signs advertising the TEMPORARY sale of agricultural and horticultural products | 2 per street frontage of the lot | 6 sq ft per sign | 10 ft or building face | Height of building | 6 ft | 12 in | Both |
| TO BE DISPLAYED ONLY WHEN PRODUCTS ARE ON SALE | | | | | | | |
| T-5: Temporary directional signs | 1 per each 500 feet of street frontage | 2 sq ft per sign | 3 ft | Height of building | 3 ft | 12 in | Both with permission of landowner on which sign is placed-Not on traffic or utility poles |
| NOT TO EXCEED ONE WEEK OF PLACEMENT | | | | | | | |
| T-6: Signs announcing grand openings, new ownership, change of use, etc, on the site of the permitted use. | 1 per lot (attached or freestanding) | 20 sq ft per sign | 30 ft or building face | Height of building | 10 ft | 12 in | Where use is permitted |
| SIGNS SHALL BE REMOVED AFTER 7 DAYS | | | | | | | |

| | | | | | | | |
|---|--|-------------------|---------------------------|--------------------|-------|-------|--|
| T-7: Temporary signs announcing a special event not normally associated with a location or a location's use (does not include yard/garage sales or special business promotion sales) | | | | | | | |
| T-7A: On the site of the event | 1 per frontage | 20 sq ft per sign | 10 ft or building face | Height of building | 10 ft | 12 in | Both |
| NOT TO EXCEED 30 DAYS AND SIGN SHALL BE REMOVED WITHIN 7 DAYS FOLLOWING THE CONCLUSION OF THE EVENT | | | | | | | |
| T-7B: On a location away from the site of the event | 1 per each 500 feet of street frontage | 6 sq ft per sign | 10 sq ft of building face | Height of building | 10 ft | 12 in | All with the permission of the landowner on which the sign is placed. Not on traffic or utility poles. |
| NOT TO EXCEED 7 DAYS PLACEMENT AND MUST BE REMOVED IMMEDIATELY FOLLOWING THE EVENT | | | | | | | |
| T-8: Signs for a political election | _____ | 4 sq ft | 10 ft or building face | Height of building | _____ | _____ | All with the permission of the landowner on which the sign is placed. Not on traffic or utility poles. |
| SIGNS SHALL BE REMOVED BY THE POLITICAL PARTY OR CANDIDATE WITHIN 10 DAYS FOLLOWING THE PRIMARY OR GENERAL ELECTION TO WHICH THEY REFER | | | | | | | |

CHART C: PERMANENT SIGNS PERMITTED BY SPECIAL EXCEPTION (Ordinance 2005-02)

SE-1 Advertising (Billboard) Sign - See section 751

1. Only one (1) advertising sign per lot shall be permitted.
2. No advertising sign shall exceed an overall size of one hundred fifty (150) square feet, nor exceed thirty-five (35) feet in height.
3. No advertising sign shall be located within three hundred (300) feet of another advertising sign.
4. All advertising signs shall be a minimum of fifty (50) feet from all side and rear property lines.
5. All advertising signs shall be set back a minimum of thirty-five (35) feet from any street right-of-way line.
6. No advertising sign shall obstruct the vision of motorists or adjoining commercial or industrial uses which depend upon visibility for identification.

SECTION 407 PARKING

- a) Size of Parking Space: Each parking space must have an area of not less than two hundred (200) square feet (exclusive of passageways and driveways appurtenant to the space and giving access to it), and be a minimum of ten (10) feet wide by twenty (20) feet deep. Where five (5) or more parking spaces are required, the total parking area including passageways and driveways must average three hundred (300) square feet per required parking space.
- b) Spaces Required: Off-street parking spaces must be provided for each building erected, altered, enlarged or converted, or for each principal use (whichever will result in the greater number of spaces), in accordance with the following schedule. Fractional numbers of parking spaces shall be increased to the next whole number.

| <u>Type of Use</u> | <u>Minimum of One Parking Space for Each</u> |
|--|--|
| Residential Dwelling | 1/2 Dwelling Unit (i.e., 2 spaces per dwelling unit) |
| Rooming House, Boarding House | Bedroom |
| Hotel, Motel | Guest sleeping room |
| Offices | 300 sq ft of gross floor area |
| Retail Store, Person} Service Shop | 200 sq ft of gross floor area |
| Eating Establishment | 4 seats, plus one for each employee on largest shift |
| Miniature Golf Course | hole |
| Bowling Alley, Billiard Room | 1/4 lane (i.e.: 4 spaces per |
| lane/table) Golf Course | 1/4 hole (i.e.: 4 spaces per hole) |
| Other Recreational Establishments | 100 sq ft: of gross floor area |
| Vehicle Repair, Service Station | 400 sq ft of gross floor area and ground area devoted to repair and service facilities |
| Other Commercial Buildings | 400 sq ft of gross floor area |
| Hospital, Convalescent or Nursing Home | 1/2 bed (i.e.: 2 spaces per bed) |
| Auditorium, House of Worship, Theater & Other such places of Public Assembly | 200 sq ft of gross floor area but not less than 1 space per each 4 seats |
| Schools | Staff member plus 1 space per class room in an elementary or junior high school and 1 space per 5 students of projected building capacity in a senior high school or college |

| <u>Type of Use</u> | <u>Minimum of One Parking Space for Each</u> |
|--|--|
| Industrial & Heavy Commercial Establishments | 1 ½ employees on major shift but at least 1 space for each 5,000 sq ft of gross floor area |
| Shopping Center or Mall | 180 sq ft of gross leasable floor area |
| Funeral Home | 180 sq ft of gross leasable floor area |
| Outdoor Sales, Vehicle Sales | 20% of lot area devoted to the use to be reserved for customer parking |
| Clubs, Lodges and Other Similar Places | 100 sq ft of gross floor area |
| Airplane Storage Hangars | 1200 sq ft of hangar space |

- c) Location: Except as restricted elsewhere in this Ordinance, a ground-level parking area/lot for multi-family and non-residential uses is permitted in any yard area provided that it is at least ten (10) feet from the street right-of-way line and at least three (3) feet from a side or rear property line. The required parking area must be on the same premises as the principal use, or on nearby premises. If on nearby premises---
1. The nearest point of the parking lot shall be not further than the following distances to the nearest point of the property served:
 - a. Commercial use - 100 feet
 - b. Residential use - 200 feet
 - c. Industrial use - 300 feet
 2. The parking area must remain under control of the owner or operator of the use to which the parking area is appurtenant.
- d) Layout: Parking areas must be arranged so there will be no need for motorists to back over:
1. Local streets, except in the case of residential uses.
 2. Major thoroughfares.
- e) Parking Area Adjacent to Street: For multi-family and nonresidential uses, where a parking area or other area open to movement of vehicles abuts the right-of-way

of a public street, sidewalk or walkway, a pipe railing, post and chain barricade, raised curbs or equally effective devices satisfactory to the Township Engineer must line the public right-of-way, sidewalk or walkway except at access points so that parked vehicles will not extend into the street right-of-way, sidewalk or walkway.

f) Paving: All required parking areas, and all access drives shall be paved with concrete or bituminous paving material.

Exception: Parking spaces adjacent to airplane storage hangars may be paved with crushed stone or similar substance.

g) Drainage: All parking lots shall be drained to prevent damage to other properties or public streets. All parking lots shall be designed to prevent the collection of standing water on any portion of the parking lot surface. A parking lot for more than five (5) vehicles must be approved by the Township Engineer relative to grading and drainage.

h) Lighting: Adequate lighting shall be provided if the parking lot is to be used at night. Such lighting shall be arranged so as not to reflect or glare on adjoining properties or streets.

SECTION 408 LOADING

a) Size: The minimum size for each loading space shall be as follows:

- I. For all industrial, manufacturing, wholesale, storage and warehousing uses, each required loading space must be not less than twelve (12) feet wide and sixty (60) feet in length.
2. For all other uses, each required loading space must be not less than twelve (12) feet wide and forty (40) feet in length.
3. For all uses, if the required loading space(s) is covered or obstructed, a minimum height clearance of fifteen (15) feet is required.

b) Surfacing: All loading areas must be surfaced with a concrete or bituminous material.

Spaces Required: Any building erected, converted or enlarged for any non-residential use shall provide adequate on street areas for the loading and unloading of vehicles. Such areas shall be in addition to, and independent of any parking area requirements.

Off-street loading spaces must be provided in accordance with the following schedule

Type of Use

Commercial

Office, hotel, theater, financial institution, auditorium, hospital or other institution, bowling alley or other indoor recreational establishment

Industry or manufacturing area of 2,000

Number of Loading Spaces

1 space for a gross floor area of 5,000 to 25,000 square feet and 1 additional space for each 40,000 square feet of gross floor area in excess of the first 25,000 square feet.

1 space for a gross floor area of 10,000 to 100,000 square feet and 1 additional space for each 100,000 square feet of gross floor area in excess of the first 100,000 square feet,

1 space for a gross floor

to 25,000 square feet and 1 additional space for each 20,000 square feet of gross floor area in excess of the first 25,000 sq ft:

Wholesale, storage or warehousing (excludes mini-storage facilities for which no loading facilities are required

1 space per establishment and 1 additional space for each 40,000 square feet in excess of the first 10,000 square feet

- c) Location: The loading area must be arranged so that there will be no need for vehicles to back over public rights-of-way or cause the stacking of vehicles upon a public street and may not be located in the front yard area. Off-street loading spaces shall not interfere with off-street parking spaces.
- d) Drainage: All parking lots shall be drained so as to prevent damage to other properties or public streets. All parking lots shall be designed to prevent the collection of standing water on any portion of the parking lot surface. A parking lot for more than five (5) vehicles must be approved by the Township Engineer relative to grading and drainage.
- e) Lighting: Adequate lighting shall be provided if the parking lot is to be used at night. Such lighting shall be arranged so as not to reflect or glare on adjoining properties or streets.

SECTION 409 DRIVEWAYS/ACCESS DRIVES (Ordinance 2002-02)

- ~~a) Width: Within ten (10) feet of the street right-of-way, driveways/access drives may not exceed thirty-five (35) feet in width or be less than twelve (12) feet in width.~~
- a) Width: Within ten (10) feet of the street right-of-way, driveways/access drives may not exceed thirty-five (35) feet in width or be less than twelve (12) feet in width.
- b) Number: The number of driveways/access drives may not exceed two (2) per lot on any one street frontage. The Zoning Hearing Board may grant permission by special exception for additional driveways/access drives where required to meet exceptional circumstances and where frontage of unusual length exists.
- c) Location: Driveways/access drives may not enter a public street:
1. Within forty (40) feet of the street right-of-way line of an intersection street.
 2. Within five (5) feet of a fire hydrant.
 3. Within twenty-five (25) feet of another driveway/access drive on the same property.
 4. Within three (10) feet of a property line.
- d) Sight Distances: A driveway/access drive must be located in safe relationship to sight distance and barriers to vision. A clear sight triangle of seventy-five (75) feet as measured along the street centerline and thirty (30) feet along the driveway centerline commencing at the street right-of-way line must be maintained for all residential driveways. Obstructions or plantings shall not exceed a height of three (3) feet in the clear sight triangle area.
- e) Slope, Cuts: A driveway/access drive may not exceed a slope of five percent (5%) within twenty-five (25) feet of the street right-of-way line. Where a driveway/access drive enters a bank through a cut, unless a retaining wall is used, the shoulders of the cut may not exceed fifty percent (50%) in slope within twenty-five (25) feet of the point at which the driveway/access drive intersects the street right-of-way. The height of the bank must not exceed three (3) feet within ten (10) feet of the street.
- f) Drainage Pipes: If requested, a drainage pipe placed under a driveway along a Township Road shall be of sufficient size to convey stormwater, as approved by the Township Supervisors.

SECTION 410 SCREENS AND BUFFERS

Where an industrial or commercial use abuts a residential use, except for street or alley frontage:

- a) A fence or screen planting acceptable to the Township is required to be erected to screen from view the industrial or commercial use.

- b) The space along the lot lines of the industrial or commercial use abutting a residential use for fifty (50) feet in depth may not be used for industrial or commercial operations. This area must be suitably landscaped and maintained, have no impervious cover, and shall not be used for building, parking, loading or storage purposes.

SECTION 411 DRAINAGE

- a) Adequate Drainage Required: No principal building may be erected, structurally altered, or relocated on land which is not adequately drained at all times (i.e., no building is permitted in areas where standing water is evidenced on a permanent or seasonal basis).
- b) Building Restricted Adjacent to Drainage Channels and Watercourses: No building, whether temporary or permanent, may be erected, structurally altered or relocated on land which is subject to flooding as defined by the most recent Flood Insurance Study prepared for the Federal Insurance Administration.
- c) Lot Drainage: Lots shall be laid out and graded to provide positive drainage away from new and existing buildings and on-site sewage disposal facilities and to prevent the collection of storm water in pools.
- d) Nearby Existing Facilities: Where adequate existing storm sewers are readily accessible, the developer must connect his storm water facilities to these existing storm sewers.
- e) Open Drainage ways: When open drainageways are used for the disposal of storm water, the Township Engineer shall review the design of such open drainageways in relation to the following:
 1. Safety: Steep banks and deep pools shall be avoided.
 2. Erosion: Adequate measures shall be taken, such as seeding, sodding, paving, or other measures as necessary to prevent the erosion of banks and the scouring of the channel.
 3. Stagnation: Design of open drainageways shall not create stagnant pools or swampy areas.
 4. Whenever the evidence available to the Township indicates that natural surface drainage is inadequate, the developer shall install storm sewers, culverts and related facilities, as necessary, to:
 - a. Permit the unimpeded flow of natural watercourses.
 - b. Ensure the drainage of all low points along the line of streets.
 - c. Intercept storm water runoff along streets at intervals reasonably related to the extent and grade of the area drained.
 - d. Provide adequate drainage away from on-site sewage disposal facilities.

5. Storm drainage facilities must be designed not only to handle the anticipated peak discharge from the property, but also the anticipated increase in runoff that may occur when all the property at a higher elevation in the same drainage basin is fully developed.
- f) Drainage Upon Adjoining Properties; Slopes: In order to protect adjoining property owners, and to aid in preserving and protecting the natural beauty and character of the landscape, no change may be made in the existing topography of any land which would:
1. Result in a slope of more than seventy percent (70%) within twenty (20) feet of a property line (height divided by length equals percent of slope).
 2. Result in a slope which exceeds the normal angle of slippage of the material involved. All slopes must be protected against erosion.
 3. Alter the existing drainage or topography in any way so as to adversely affect adjoining properties.
- g) Drainage Onto Streets: In order to minimize improper surface water drainage upon streets, each building erected, structurally altered, or relocated, and its driveways or access drives must be at a grade in satisfactory relationship:
1. With the established street grade, or
 2. With the existing street grade where none is established.
- h) Obstruction to Drainage Prohibited: The damming, filling or otherwise interfering with the natural flow of a surface watercourse is not permitted without approval of the Township Supervisors and the Pennsylvania Department of Environmental Protection, upon recommendations of the Township Planning Commission.

SECTION 412 ILLUMINATION

Where a use involves exterior lighting, the lighting must be located and shielded so that no direct illumination or glare is cast upon adjoining properties or so it does not obstruct the vision of motorists.

SECTION 413 DEMOLITION (Ordinance 98-15)

Demolition of any structure must be completed within ninety (90) days of the issuance of a permit. Completion consists of tearing the structure down to grade, filling any resulting cavity to grade and removing all resulting materials from the lot. A structure may be partly demolished only if a building remains and the demolition of the part is completed within ninety (90) days of the issuance of a permit. All evidence of the structure which was demolished must be removed from the exterior surfaces of the remaining building.

SECTION 414 BUILDINGS UNDER CONSTRUCTION

A building, the foundation of which was completed before the effective date of this Ordinance, may be constructed without being bound by the requirements of this Ordinance provided that the construction is completed within one (1) year after the effective date of this Ordinance. In like manner, a building, the foundation of which was completed before an amendment, may be constructed if the construction is completed within one (1) year after the effective date of the amendment.

SECTION 415 DIVISION OF BUILT ON LOTS

No lot may be formed from part of a lot occupied by a building unless each newly created lot will meet all the applicable provisions of this Ordinance.

SECTION 416 LOTS OF RECORD

On a lot held in single and separate ownership on the effective date of this Ordinance or any amendment thereto, which does not fulfill the regulations for the minimum lot area and/or lot width for the zone hi which it is located, a building may be erected, altered and used and the lot may be used for a conforming (permitted) use providing that the setbacks provided are not less than the minimum specified herein for the zone in which the lot is located.

SECTION 417 STATUS OF SUBDIVISION OR LAND DEVELOPMENT PLAN

From the time an application for approval of a subdivision or land development plan, whether preliminary or final, is duly filed as provided in the Subdivision and Land Development Ordinance, and while such application is pending approval or disapproval, no enactment of: or amendment to, the Zoning Ordinance shall affect the decision on such applications adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provision of the Zoning Ordinance as it stood at the time the application was duly filed. In addition, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change hi the Zoning Ordinance.

When a preliminary or final subdivision or land development plan has been approved or approved subject to conditions acceptable to the applicant, no subsequent enactment of: or amendment to, the Zoning Ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval. Where final approval is preceded by preliminary approval, the five (5) year period shall be counted from the date of the preliminary approval.

SECTION 418 NONCONFORMITIES

a) Continuance:

- I. Except as otherwise provided in this Section, the lawful use of land or structures existing at the date of the adoption of this Ordinance may be continued, although such use of land or structure does not conform to the use regulations specified by this Ordinance for the zone in which such land or structure is located.
2. Except as otherwise provided in this Section, any nonconforming lot or structure lawfully existing at the date of the adoption of this Ordinance may be continued.

b) Expansion:

1. Upon application for a special exception and in accordance with the provisions of Sections 604 and 733, the Zoning Hearing Board may approve the expansion of a use of land or structure which is not in conformance with the provisions of this Ordinance.
2. Any expansion that will reduce the extent of nonconformity shall not require special exception approval.

c) Replacement:

- I. A nonconformity may be replaced only in conformance with the provisions of this Ordinance.
2. However, if a nonconformity is destroyed by an act of God, fire, explosion or a public enemy, said nonconformity may be replaced, but only to the extent of the original nonconformity.

d) Restoration: If any nonconformity is destroyed in part or in whole by reason of an act of God, fire, explosion or a public enemy, the nonconformity may be rebuilt, restored or repaired only to the extent of the nonconformity prior to destruction; providing that restoration is begun within one (1) year following said destruction. Nothing in this Ordinance shall prevent the strengthening or restoring to a safe condition any wall, floor or roof which has been declared unsafe.

e) Abandonment: A nonconforming use shall be presumed as abandoned when there occurs a cessation of any such use or activity by an apparent act or failure to act on the part of the tenant or owner to reinstate such use within a period of two (2) years from the date of cessation or abandonment. Such use shall not thereafter be

reinstated and the structure shall not be reoccupied except in conformance with this Ordinance.

- f) Reversion: No nonconformity shall, if once changed to conform to the regulations of this Ordinance, be changed back again to a nonconformity.
- g) Zone Changes: Whenever the boundaries of a zone shall be changed so as to transfer an area from one zone to another zone of a different classification, the foregoing provisions shall also apply to any nonconforming uses or dimensional nonconformities existing therein or created thereby.
- h) Identification and Registration: Nonconforming uses and nonconforming structures may be identified and registered by the Zoning Officer.

SECTION 419 TRANSFERS OF BUILDING RIGHTS (Ord 2016-02)

- A. One (1) building right may be transferred from one lot to another lot provided the following provisions are met:
 - 1. The lots must be adjacent; and
 - 2. The transferring lot must have a minimum of two (2) building rights available, one of which must be a road frontage building right; and
 - 3. The transferring lot must have an established residence; and
 - 4. The receiving lot must have road frontage available with adequate road front distances as required in the zone in which it is located; and
 - 5. The receiving lot must have no building rights available.
 - 6. Neither the transferring lot nor the receiving lot shall be a flag lot as permitted in Section 512.
 - 7. Transferring lots shall have a minimum of 10 acres. (Ordinance 2022-01)
- B. The transfer of one (1) building right to a property causes the forfeiture of an available road frontage building right from the transferring property.
 - 1. Transferred building rights cannot be replaced through transfers from other properties.
 - 2. Regardless of the number of available building rights a property may have, only one (1) may be transferred per lot.
- C. Other conditions which apply:
 - 1. Only one (1) building right may be transferred to a given lot.
 - 2. The building right transferred may not be re-transferred to another lot.

3. The provisions for properties eligible and recording of deeds regulated in the PA MPC Section 619.1, shall be followed.
3. A copy of the transfer documents must be provided to the Township.

SECTION 420 PRINCIPAL SOLAR ENERGY SYSTEMS (PSES) (2025-03)

A. Applicable Regulations

- i. Applicable Regulations PSES shall be permitted as a Special Exception in all zones.
- ii. PSES constructed prior to the effective date of this Section shall not be required to meet the terms and conditions of this Ordinance. Any physical modification to any existing PSES, whether existing prior to the effective date of this Section that expands the PSES, shall require approval under this Ordinance. Routine maintenance or like-kind replacements do not require a permit.
- iii. The PSES layout, design and installation shall conform to applicable industry standards, such as those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Laboratory (ETL), Florida Solar Energy Center (FSEC) or other similar certifying organizations, and shall comply with this Ordinance and with all other applicable fire and safety regulations. The manufacturer specifications for the key components of the system shall be submitted as part of the application.
- iv. All on-site utility transmission lines and plumbing shall be placed underground to the greatest extent feasible.
- v. The owner of a PSES shall provide the Township with written confirmation that the public utility company to which the PSES will be connected has been informed of the customer's intent to install a grid connection system and approval of such connection was made. The owner shall provide a copy of the final inspection report or other final approval from the utility company to the Township prior to the issuance of a Certificate of Use and Occupancy for the PSES.
- vi. If a PSES is being used as an accessory use for commercial/industrial activities, then Washington Township shall be informed of the intent of the PSES.
- vii. Signage shall comply with the minimum size required by applicable industry standards. No PSES shall contain or be used to display advertising.
- viii. All PSES shall be situated to eliminate concentrated glare onto nearby structures or roadways.
- ix. All solar energy systems should be designed and located to ensure solar access without reliance on and/or interference from adjacent properties.

B. General Provisions for Ground Mounted Principal Solar Energy Systems

- i. The PSES shall meet the lot size requirements of the applicable zoning district.
- ii. The PSES shall comply with the setback requirements of the applicable zoning district.
- iii. The PSES shall comply with the building height restrictions for principal buildings of the applicable zoning district.
- iv. Coverage
 - a. The area beneath the ground mounted PSES is considered pervious cover. However, use of impervious construction materials under the system could cause the area to be considered impervious and subject to the overall lot coverage requirement for the applicable zoning district.
 - b. The following components of a PSES shall be considered impervious coverage and calculated as part of the impervious coverage limitations for the underlying zoning district.
 1. Foundation systems, typically consisting of driven piles or monopoles or helical screws with or without small concrete collars.
 2. All mechanical equipment of PSES including any structure for batteries or storage cells.
 3. Gravel of paved access roads servicing the PSES shall be considered impervious.
- v. Stormwater
 - a. The applicant shall submit a stormwater management plan that demonstrates stormwater from the PSES will infiltrate into the ground beneath the PSES at a rate equal to that of the infiltration rate prior to the placement of the system.
 - b. PSES owners are encouraged to use low maintenance and/or low growing vegetative surfaces under the system as a best management practice for stormwater management.
- vi. Screening
 - a. Ground mounted PSES shall be screened from any adjacent property that is used for residential purposes. The screen shall consist of plant materials which provide a visual screen.
 - b. In lieu of a planting screen, a fence that provides visual screening and meets the requirements of the Zoning Ordinance may be used.
- vii. Easements
 - a. Where a subdivision or land development involves the use of solar energy systems, easements may be provided. Said easements shall be in writing and shall be subject to the same conveyance and instrument recording requirements as other easements.
 - b. Any such easements shall be appurtenant and shall run with the land benefited and burdened and shall be defined by conditions stated in the instrument of conveyance. Instruments creating solar easements shall include, but not be limited to:

1. A description of the dimensions of the easement including vertical and horizontal angles measured in the degrees or the hours on specified dates during which direct sunlight to a specified surface or structural design feature may not be obstructed.
 2. Restrictions on the placement of vegetation, structures and other objects which may impair or obstruct the passage of sunlight through the easement.
 3. Enumerate terms and conditions, if any, under which the easement may be revised or terminated.
 4. Explain the compensation for the owner of the real property subject to the solar easements for maintaining the easement and for the owner of the real property benefiting from the solar easement in the event of interference with the easement.
- c. If required, a PSES owner and/or operator must obtain any solar easements necessary to guarantee unobstructed solar access by separate civil agreements with adjacent property owners.
- viii. Fencing
- a. All ground mounted PSES shall be completely enclosed by fencing that consists of a minimum eight (8) foot high chain-link fence with a locking gate or as designated by the Township.
- ix. Warning Sign
- a. A clearly visible warning sign shall be placed at the base of all pad-mounted transformers and substations and on the fence surrounding the PSES informing individuals of potential voltage hazards. The PSES owner and/or operator shall maintain a phone number and identify a person responsible for the public to contact with inquiries and complaints throughout the life of the project and provide this number and name to the Township. The PSES owner and/or operator shall make reasonable efforts to respond to the public's inquiries and complaints.
- x. Emergency Management
- a. An Emergency Management Plan, consistent with the standard operating practices of the industry shall be developed by the PSES owner/operator and furnished to the Township, the local fire company and the York County Office of Emergency Management prior to the issuance of a building permit.
- xi. Access Drives
- a. Access drives are required to allow for maintenance and emergency management vehicles. A minimum twenty-five (25) foot wide access road must be provided from a state or township roadway into the site. A minimum twenty-foot (20) wide cartway shall be provided between the solar arrays to allow access for maintenance vehicles and emergency management vehicles. Cartway width is the distance between the bottom edges of a solar panel to the top edge of the solar panel directly across from it.
- xii. Lighting
- a. Lighting shall not be permitted except to the extent required for security or by applicable federal, state, or local authorities.

- xiii. Removal
 - a. If a ground mounted PSES is removed, any earth disturbance as a result of the removal must be graded and reseeded.
- xiv. Decommissioning
 - a. The PSES owner is required to notify the Township immediately upon cessation or abandonment of the operation. The PSES shall be presumed to be discontinued or abandoned if no electricity is generated by such system for a period of twelve (12) continuous months.
 - b. The PSES owner shall then have twelve (12) months in which to dismantle and remove the PSES including all solar related equipment or appurtenances related
 - c. thereto, including but not limited to buildings, cabling, electrical components, roads, foundations and other associated facilities from the property.
 - d. At the time of issuance of the permit or the construction of the PSES, the owner shall provide financial security in the form and amount acceptable to the Township to secure the expense of dismantling and removing said PSES and restoration of the land to its original condition, including forestry plantings of the same type, variety and density as the original.
 - e. If the PSES owner fails to complete the decommissioning within twelve (12) months, as is required in this Ordinance, then the Township may take measures as is necessary to complete decommissioning. To the extent that the Township incurs costs to rightfully perform any act to decommissioning, it may draw on the financial security to pay for all costs and expenses. If the decommissioning costs and expenses are greater than the financial security, then the Township may charge the PSES owner for the excess costs and expenses, including reasonable attorney's fees for collection and such amounts shall be a special assessment or lien against the property for the amount of the assessment plus an additional penalty of 10% of the assessment.
 - f. Upon completion of decommissioning to the satisfaction of the Township, any remaining financial security shall be released to the PSES owner.

C. General Provisions for Roof Mounted Principal Solar Energy Systems (PSES)

- a. The owner shall provide evidence that the plan shall comply with the Uniform Construction Code and adopted building code of Washington Township and that the roof is capable of holding the load imposed on the structure. An application for roof-mounted PSES shall be accompanied by engineer stamped plans that demonstrate the structural sufficiency of the roof to hold the weight of the PSES.
- b. PSES mounted on roofs of any building shall be subject to the maximum height regulations specified for principal and accessory buildings within the applicable zoning district.
- c. Roof mounted solar panels shall be located only on rear or side facing roofs as viewed from any adjacent street unless the applicant demonstrates that, due to solar access limitations, no location exists other than the street facing roof, where the solar energy system can perform effectively.

- d. Solar panels shall not extend beyond any portion of the roof edge.
- e. The PSES owner and/or operator shall maintain a phone number and identify a person for the public to contact with inquiries and complaints throughout the life of the project and provide this number and name to the Township. The PSES owner and/or operator shall make reasonable efforts to respond to the public's inquiries and complaints.

(Ordinance 2025-03)

ARTICLE V

SUPPLEMENTARY REGULATIONS

SECTION 501 PURPOSE

The purpose of this Article is to provide additional requirements applicable to certain uses permitted by right in both zoning districts. These regulations are intended to supplement the general district regulations contained in Article III.

SECTION 502 APARTMENT IN CONJUNCTION WITH COMMERCIAL ESTABLISHMENT

- a) Two (2) off-street parking spaces must be provided for the residential dwelling in addition to parking required for the commercial use.
- b) Only one (1) such apartment shall be permitted per lot.

SECTION 503 BED AND BREAKFAST INN

- a) Maximum guest stays shall be limited to fourteen (14) days.
- b) Maximum of five (5) guest rooms.
- c) A minimum of one (1) off-street parking space per guest room shall be provided in addition to the required parking for the dwelling unit.
- d) One (1) sign may be erected on the property. The maximum size shall be two (2) square feet.
- e) The Inn must comply with local regulations including, but not limited to, fire, health and building codes.
- t) Bed and Breakfast operations shall be conducted so as to be clearly incidental and accessory to the primary use of the site as a single-family dwelling.

SECTION 504 CEMETERY

- a) All burial plots or facilities shall be located at least fifty (50) feet from all property or street lines. (Ordinance 2002-02)
- b) Assurances must be provided that water supplies of surrounding properties will not be contaminated by burial activity within the proposed cemetery.
- c) No burial plots or facilities are permitted in flood hazard areas.

- d) Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, plantings and open spaces.
- e) Pet cemeteries must meet all of the above applicable requirements.

SECTION 505 COMMERCIAL SCHOOL OR PRIVATE SCHOOL LICENSED BY PA
DEPARTMENT OF EDUCATION

- a) Access shall be via an arterial or collector street as designated in the Township Comprehensive plan. (See Appendix 1 of this Ordinance)
- b) Parking: A minimum of one (1) off-street parking space shall be provided for each staff person plus an additional space shall be provided for each five (5) students to be served by the facility.
- c) Buffers and screens shall be provided as necessary to adequately protect neighboring properties.

SECTION 506 FUNERAL HOME

- a) Access shall be via an arterial or collector street as designated in the Township's Comprehensive plan. (See Appendix I of this Ordinance.)
- b) Parking and loading areas must be screened from view of any adjoining residential use.
- c) Adequate space shall be provided for formation of automobile processions to prevent traffic back-ups onto adjoining roads.

SECTION 507 GREENHOUSE, HORTICULTURAL NURSERY

- a) Access shall be via an arterial or collector street as designated in the Township's Comprehensive Plan. (See Appendix I of this Ordinance.)
- b) The display and sale of items not grown on the premises shall be incidental to the greenhouse/nursery operation. The display and sales area for those items shall be limited to not more than twenty-five percent (25%) of the total gross display and sales area on the property.
- c) The display, sale and/or repair of power tools or motorized nursery, lawn or garden equipment shall not be permitted.
- d) Outdoor display areas shall be set back at least twenty-five (25) feet from the street right-of-way line.

SECTION 508 HOUSE OF WORSHIP

- a) All off-street parking areas shall be set back at least twenty-five (25) feet from all street right-of-way and property lines.

- b) All structural improvements (i.e. parking facilities) adjoining residential use shall be screened to adequately protect neighboring property.
- c) Any associated residential use, other than the parsonage, shall be located on a separate lot or parcel and shall be subject to all applicable regulations of this Ordinance.
- d) Any associated educational or day care uses shall be accessory and located on the same lot as the house of worship.

SECTION 509 PROFESSTONAL OR BUSINESS OFFICE

- a) Access shall be via an arterial or collector street as designated in the Township's Comprehensive plan. (See Appendix I of this Ordinance.)
- b) Screens and buffers shall be provided as necessary to adequately protect neighboring residential properties.
- c) Any outdoor storage of trash or other materials shall be entirely screened from view.

SECTION 510 RIDING ACADEMY, BOARDING STABLE(S)

- a) All animals, except while exercising or pasturing, shall be confined to a building erected for that purpose.
- b) All stalls shall be maintained so as to minimize odors.
- c) All outdoor training or show facilities or areas shall be set back at least fifty (50) feet from all property lines. (Ordinance 2021-01)
- d) All outdoor training, show, riding, boarding or pasture areas shall be enclosed by a minimum four (4) foot high fence which may be located up to, but not on, the property line.
- e) Adequate off-street parking shall be provided as determined by a review of the number of stalls and activities proposed. All parking areas shall be set back at least ten (10) feet from any property line.
- f) All animal waste shall be properly stored and disposed of in a manner that will not create a public health hazard or nuisance. No animal waste shall be stored within the required setback areas.
- g) The minimum lot area shall be five (5) acres. (Ordinance 2021-01)
- h) Two (2) acres of land is required for each horse including those horses owned by the property owner(s) for personal use. (Ordinance 2021-01)

SECTION 511 SINGLE FAMILY ATTACHED DWELLINGS

- a) No grouping shall contain more than eight (8) dwelling units nor exceed an overall length of two hundred (200) feet.
- b) Public water and public sewer approved by the Pennsylvania Department of Environmental Protection must be utilized.
- c) Maximum lot coverage shall be sixty percent (60%).

SECTION 512 FLAG LOT (Amended 9/16/1994)

In the R or W Zone, subject to the requirements of the zone in which it is located, except as herein modified and provided:

- a) Flag lots are generally discouraged, but may be permitted for single-family dwellings where no other lot configurations are possible.
- b) The "staff" is to be excluded in determining lot area or in the placement of setbacks. Building setback lines and lot width shall be measured along the lot line (other than the street line) most nearly parallel to the public street from which the access is taken.
- c) The minimum permitted width of the staff is thirty-five (35) feet. (Ordinance 2003-01)
- d) The staff portion shall serve only the lot upon which it is located and shall be a deeded part of the flag lot.
- e) Lot dimensions shall meet the requirements of the zone in which the flag lot is located.
- f) No structures, accessory buildings or parked vehicles shall be permitted in the "staff"
- g) Any driveway located within the "staff" shall meet the requirements of §409 of this Ordinance. Flag lot owners shall be responsible for maintaining the driveways to assure reasonable ingress and egress.
- h) The "staff" shall not cross a stream, wetland, flood plain or similar natural features without the property owners first acquiring the appropriate permits.
- i) All requirements of this section must be complied with to the satisfaction of the Township Zoning Officer. Should said requirements be met to the Zoning Officer's satisfaction, the Zoning Officer shall issue the permit without any further action.

SECTION 513 COMMERCIAL RECREATIONAL FACILITIES (Ordinance 2009-01)

The following shall apply to Commercial Recreational Facilities (if a discrepancy exists between any regulations contained within this Ordinance and any other Township regulations, the regulation which imposes the greater restriction shall apply):

- A. Within the Township, Commercial Recreational Facilities are only permitted within the Rural Residential Zone by Special Exception or Variance.

- B. Uses permitted by the Zoning Hearing Board shall be subject to all provisions within the Zoning Ordinance and to the following criteria:
1. The minimum setbacks of all structures from public roads shall be 100 feet from the Township or State right-of-way line.
 2. The principal use of such facilities shall be set back three hundred (300) feet from any adjoining residential property or area.
 3. No man-made structures, with the exception of fencing, shall be allowed within the area between the property line of such facilities and the setback line.
 4. Access to such facilities shall be by a paved access drive in accordance with Township specifications. All facilities shall have direct access to an arterial or collector roadway, as identified in the Washington Township Comprehensive Plan.
 5. Off-street parking shall be provided at a minimum of one space for each employee and one space for each three patrons or seats.
 6. Any lighting provided at such facilities shall be subject to the provisions of this Ordinance regarding outdoor lighting of the Washington Township Zoning Ordinance.
 7. Accessory uses such as food sales, beverage sales, gifts, souvenir shops and similar activities must be approved separately by the Zoning Hearing Board.
 8. Noise from the facilities shall not exceed 80 decibels at 100 feet from the property line.
 9. The hours of operation shall be between 9:00 a.m. and 9:00 p.m. unless a variance to this provision is granted by the Zoning Hearing Board due to the nature of the proposed use.
 10. A chain link fence at least 8 feet in height shall surround the facility unless a Variance to this provision is granted by the Zoning Hearing Board due to the nature of the proposed use. Said fence shall be maintained in good condition.
 11. Any use which abuts a non-commercial use shall provide a vegetative buffer strip of 20 feet in width. This buffer strip shall consist of evergreens at least 5 feet in height when planted, placed in a solid screening pattern, designed to grow at least 10 feet in height and maintained in good condition. As an alternative, a planted earthen mound at least 15 feet in height can be used.
 12. The facility shall be maintained in a dust-free state.
 13. Adequate permanent sanitary facilities must be provided to accommodate the maximum number of patrons and/or personnel and approved by the PA DEP.
 14. Proof of an adequate water supply study by a qualified engineer must be provided to the Board of Supervisors and must indicate that the maximum proposed facility usage does not infringe upon existing area water usage.

SECTION 514 ECHO HOUSING (Ordinance 2016-02 says Section 513-should be Section 514)

- A. ECHO Housing is subject to the provisions of the Zone in which it is to be located and to the following criteria:

1. ECHO housing shall be considered a temporary use solely for the occupants for which it is designed and shall not be used as an apartment or any other residential use, except residential use by the owner of the principal dwelling.
2. The total land coverage for the principal dwelling, any existing accessory structures and the ECHO Housing together shall not exceed the maximum requirements for the zone in which the ECHO Housing is located.
3. The ECHO Housing shall be occupied by either elderly, handicapped or disabled persons related to the occupant of the principal dwelling by blood, marriage or adoption.
4. The ECHO Housing shall be occupied by a maximum of two (2) people.
5. ECHO Housing must be incorporated into an existing dwelling through remodeling of or addition to the principal dwelling.

a. ECHO units, such as mobile homes, recreational vehicles or separate buildings detached from the principal dwelling are prohibited.

b. The ECHO unit's living space must be attached to the principal dwelling by at least one (1) common wall with a connecting interior door which can be accessed by the principal dwelling. Breezeways, sunrooms, garages, carports, hallways and other similar connective structures are not considered living space under this Section.

B. Utilities

1. For sewer and water supply, the ECHO Housing shall be physically connected to those systems serving the principal dwelling.
 - a. No separate utility systems or connections shall be constructed or used.
 - b. All connections shall meet the applicable utility company standards.
2. If on-site sewer or water systems are to be used, the applicant shall submit evidence to the Board of Supervisors showing that the total number of occupants in both the principal and dwelling and the ECHO Housing will not exceed the maximum capacities for which the one unit systems were designed, unless those systems are to be expanded, in which case the expansion approvals are to be submitted. Any connection to or addition to an existing on-site sewer system shall be approved by the Township SEO.

C. A minimum of one (1) off-street parking space with unrestricted ingress and egress to the street, shall be provided for the ECHO Housing.

D. The ECHO Housing shall not be permitted in the required front yard setback and shall adhere to all side and rear yard setback requirements for principal uses.

E. All applicable construction codes and regulations shall apply.

1. Upon the proper installation of the ECHO Housing, the Zoning Officer shall issue an Occupancy Certificate.

2. At no time may such units be used for any other purpose than ECHO Housing.

F. Applicant shall provide the Township with a notarized statement indicating agreement with such Conditions as stated above, and it shall be kept by Township Officials.

ARTICLE VI

ZONING HEARING BOARD

SECTION 601 POWERS AND DUTIES - GENERAL

- a) **Membership of Board:** The membership of the Board shall, upon the determination of the Board of Supervisors, consist of either three (3) or five (5) residents of the Township appointed by resolution of the Board of Supervisors. The terms of office of a three (3) member board shall be three (3) years and shall be so fixed that the term of office of one (1) member shall expire each year. The terms of office of a five (5) member board shall be five (5) years and shall be so fixed that the term of office of one (1) member shall expire each year. If a three (3) member board is changed to a five (5) member board, the members of the existing three (3) member board shall continue in office until their term of office expires under prior law. The Board of Supervisors shall appoint two (2) additional members to the Board with terms scheduled to expire in accordance with the provisions of this Subsection. The Board shall promptly notify the Board of Supervisors of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Board shall hold no other office in the Township.

The Board of Supervisors may appoint by resolution at least one (1), but no more than three (3), residents of the Township to serve as alternate members of the Board. The term of office of an alternate member shall be three (3) years. When seated pursuant to the provision of Subsection b) of this Section, an alternate shall be entitled to participate in all proceedings and discussions of the Board to the same and full extent as provided by law for Board members, including specifically the right to cast a vote as a voting member during the proceedings, and shall have all the powers and duties set forth in this Ordinance and as otherwise provided by law. Alternates shall hold no other office in the Township. Any alternate may participate in any proceeding or discussion of the Board but shall not be entitled to vote as a member of the Board nor be compensated pursuant to Section 907 of the Pennsylvania Municipalities Planning Code, as reenacted and amended, unless designated as a voting alternate member pursuant to Subsection b) of this Section.

- b) **Organization of Board:** The Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all the members of the Board, but the Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf and the parties may waive further action by the Board as provided in Section 602 of this Ordinance.

If by reason of absence or disqualification of a member, a quorum is not reached, the Chairman of the Board shall designate as many alternate members of the Board to sit on the Board as may be needed to provide a quorum. Any alternate member of the Board shall continue to serve on the Board in all proceedings involving the matter or case for which the alternate was initially appointed until the Board has made a final determination of the matter or case. Designation of an alternate pursuant to this Subsection shall be made on a case-by-case basis in rotation according to declining seniority among all alternates.

The Board may make, alter and rescind rules and forms for its procedure, consistent with ordinances of the municipality and laws of the Commonwealth. The Board shall keep full public records of its business, which records shall be the property of the Township and shall submit a report of its activities to the Board of Supervisors as requested by the Board of Supervisors.

- c) Powers: The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final decisions in the following matters:
1. Substantive challenges to the validity of any land use ordinance except those brought before the Board of Supervisors pursuant to Sections 609.1 and 916.1 (a) (2) of the Pennsylvania Municipalities Planning Code, as reenacted and amended.
 2. Challenges to the validity of a land use ordinance raising procedural questions or alleged defects in the process of enactment or adoption which challenges shall be raised by an appeal taken within thirty (30) days after the effective date of said Ordinance.
 3. Appeals from the determination of the Zoning Officer, including, but not limited to, the granting or denial of any permit, or failure to act on the application therefore, the issuance of any cease-and-desist order or the registration or refusal to register any nonconforming use, structure or lot.
 4. Appeals from a determination by the Township Engineer or the Zoning Officer with reference to the administration of any flood plain or flood hazard ordinance or such provision within a land use ordinance.
 5. Applications for variances from the terms of this Zoning Ordinance and flood hazard ordinance or such provisions within a land use ordinance, pursuant to Section 603 of this Ordinance.
 6. Applications for special exceptions under this Zoning Ordinance or the flood plain or flood hazard ordinance of such provision within a land use ordinance, pursuant to Section 604 of this Ordinance.
 7. Appeals from the determination of any officer or agency charged with the administration of any performance density provision of this Zoning Ordinance.
 8. Appeals from the Zoning Officer's determination under Section 916.2, Procedure to Obtain Preliminary Opinion, of the Pennsylvania Municipalities Planning Code, as reenacted and amended.
 9. Appeals from the determination of the Zoning Officer or Township Engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and storm water management insofar as the same related to development not involving Subdivision and Land Development.
- d) Board Calendar: Each application or appeal filed with the Township, in the proper form and containing the required data, must be numbered serially and be placed upon the calendar of the Board by the Secretary. Applications and appeals must be assigned for hearing in the order in which they appear on the calendar. However, for good reason, the Board may order the advance of the application or appeal. A hearing must be held within sixty (60) days from the date the appeal or application is filed, unless the applicant has agreed, in writing, to an extension of time.

SECTION 602 PUBLIC HEARINGS

a) Notice: Notice of the hearing, which shall state the time and place of the hearing, the name of the owner of the property in question, the parcel's location and existing use, and the purpose of the bearing, shall be given:

1. To the public, by advertising for two (2) consecutive weeks in a newspaper of general circulation in the Township. The second advertisement shall appear at least one (1) week prior to the hearing.

2. To the applicant, the Zoning Officer, the Planning Commission, such other persons as the Township Supervisors shall designate, and to any person who at least fifteen (15) days prior to the scheduled hearing date has made request for the same. This notice shall be by personal delivery or by regular mail to said persons at their last known address at least ten (10) days prior to the date of the bearing. If mailed, the notice shall be deemed to be given on the date mailed.

3. To adjoining property owners, names of whom shall be provided by the applicant. This notice shall be by certified mail to said persons at their last known address at least ten (10) days prior to the date of the hearing.

4. By posting, in a conspicuous manner, a notice on the affected parcel of land at least one (1) week prior to the date of the hearing.

- b) Fees: The Board of Supervisors may prescribe reasonable fees with respect to hearings before the Zoning Hearing Board. Fees for said hearings may include compensation of the secretary and members of the Zoning Hearing Board, notice and advertising costs and necessary administrative overhead connected with the hearing. The costs, however, shall not include legal expenses of the Zoning Hearing Board, expenses for engineering, architectural or other technical consultants or expert witness costs.
- c) Conduct of Hearing: The hearings shall be conducted by the Board, or the Board may appoint any member as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the Board; however, the appellant or the applicant, as the case may be, in addition to the Township may, prior to the decision of the hearing, waive decision or findings by the Board and accept the decision of the hearing officer as final.

Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence shall be excluded.

The Board or the hearing officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate; shall not take notice of any communication, reports, staff memoranda, or other materials except advice from their solicitor, unless the parties are afforded an opportunity to contest the material so noticed and shall not inspect the site or its surroundings with any party or his representative unless all parties are given an opportunity to be present.

- d) Representation; Statements: Parties to the hearings shall be the Township, any person affected by the application who has made timely appearance of record before the Board, and any other person including civic or community organizations permitted to appear by the Board. The Board shall have the power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Board for that purpose.

The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.

Statements are to be made in the following order or as the Chairman may direct:

1. Applicant or appellant.
2. Zoning Officer and other officials.
3. Any private citizen.

The applicant or appellant must be given an opportunity for rebuttal.

- e) Witnesses: The Chairman or acting chairman of the Board or the hearing officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.
- f) Decision Procedure: The Board or the hearing officer, as the case may be, shall render a written decision or, when no decision is called for, make written findings on the application within forty-five(45) days after the last hearing before the Board or hearing officer. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefor. Conclusions based on any provisions of the Pennsylvania Municipalities Planning Code or of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a hearing officer, and there has been no stipulation that his decision of findings is final, the Board shall make his report and recommendations available to the parties within forty-five (45) days and the parties shall be entitled to make written representations thereon to the Board prior to final decision or entry of findings, and the Board's decision shall be entered no later than thirty (30) days after the report of the hearing officer. Where the Board fails to render the decision within the period required by this Subsection, or fails to hold the required hearing within sixty (60) days from the date the appeal or application is filed with the Township, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as herein-above provided, the Board shall give public notice of said decision within ten (10) days from the last day it could have met to render a decision in the same manner as provided in Subsection (a) of this Section. Nothing in this Subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.

A copy of the final decision or, where no decision is called for, of the findings, shall be delivered to the applicant personally or mailed to him not later than the day following its date. To all other persons who have filed their name and address with the Board not later than the last day of the hearing, the Board shall provide by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the final decision or findings may be examined.

Whenever the Board imposes a condition or conditions with respect to the granting of an application or appeal, this condition must be stated in the order of the Board and in the permit issued pursuant to the order by the Zoning Officer. This permit remains valid only as long as the conditions or conditions upon which it was granted or the conditions imposed by this Ordinance are adhered to.

- g) Records: The Board or the hearing officer, as the case may be, shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Board. The cost of the original transcript shall be paid by the Board if the transcript is ordered by the Board or hearing officer or shall be paid by the person appealing from the decision of the Board if such appeal is made, and in either event the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases, the party requesting the original transcript shall bear the cost thereof

SECTION 603 VARIANCES

- a) Filing of Variance: An application may be made to the Zoning Hearing Board for a variance where it is alleged that the provisions of this Zoning Ordinance inflict unnecessary hardship upon the applicant. The application must be on a form provided for that purpose by the Zoning Officer.

It must be filed with the Board and copies given to the Zoning Officer and Township Planning Commission. The applicant must provide all the information requested on the form, together with any other information and data that may be required to advise the Board of the variance, whether such information is called for by the official form or not.

Unless otherwise specified or extended by the Board, a variance authorized by it expires if the applicant fails to obtain a building permit or use certificate within six (6) months from the date of the authorization of the variance.

- b) Referral to Planning Commission: All applications for a variance shall be referred to the Township Planning Commission for a report.
- c) Standards for Variance: Where there is unnecessary hardship, the Board may grant a variance in the application of the provisions of this Ordinance provided that the following findings are made where relevant in a given case:
1. There are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size -or shape, or (b) exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this Zoning Ordinance in the neighborhood or zone in which the property is located.

2. Because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
 3. The unnecessary hardship has not been created by the appellant.
 4. The variance, if authorized, will not alter the essential character of the neighborhood or zone in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
 5. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
- d) Conditions: In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Zoning Ordinance.

SECTION 604 SPECIAL EXCEPTIONS

- a) Filing of Special Exceptions: For any use permitted by special exception, a special exception must be obtained from the Zoning Hearing Board. In addition to the information required on the building permit application, the special exception application must show
1. Ground floor plans and elevations of proposed structures.
 2. Names and addresses of adjoining property owners.

Unless otherwise specified or extended by the Zoning Hearing Board a special exception authorized by the Board expires if the applicant fails to obtain, where required to do so, a building permit or use certificate within six (6) months of the date of the authorization of the special exception.

- b) Temporary Special Exceptions: A temporary special exception must be obtained from the Zoning Hearing Board for any nonconformity which is or will be seasonal or is or will be in the public interest. The Zoning Hearing Board may grant a temporary special exception for a nonconforming use or structure, existing or new, which --
1. Is beneficial to the public health or general welfare, or
 2. Is necessary to promote the proper development of the community, or
 3. Is seasonal in nature.

The temporary special exception may be issued for a period not exceeding one (1) year, and may be renewed for an aggregate period not exceeding three (3) years. The nonconforming structure or use must be completely removed upon the expiration of the special exception without cost to the Township.

- c) Referral to Planning Commission: All applications for a special exception shall be referred to the Township Planning Commission for a report.
- d) Conditions: The Zoning Hearing Board, in passing upon special exception applications, may attach conditions considered necessary to protect the public welfare and the Comprehensive Plan, including conditions which are more restrictive than those established for other uses in the same zone.
- e) Application of Extent-of-Use Regulations: The extent-of-use regulations as set forth in this Ordinance must be followed by the Zoning Hearing Board. Where no extent-of use regulations are set forth for the particular use, the Board must impose extent-of-use requirements as necessary to protect the public welfare and the Comprehensive Plan.
- f) General Standards: A special exception may be granted when the Zoning Hearing Board finds from a preponderance of the evidence produced at the hearing that:
 - g)
 1. The proposed use, including its nature, intensity and location, is in harmony with the orderly and appropriate development of the zone; and
 2. That adequate water supply, sewage disposal, storm drainage and fire and police protection are or can be provided for the use; and
 3. That the use of adjacent land and buildings will not be discouraged and the value of adjacent land and buildings will not be impaired by the location, nature and height of buildings, walls and fences; and
 4. That the use will have proper location with respect to existing or future streets giving access to it, and will not create traffic congestion or cause industrial or commercial traffic to use residential streets; and
 5. That the specific standards set forth for each particular use for which a special exception may be granted have been met.

The applicant for a special exception shall have the burden of proof which shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact which are to be determined by the Zoning Hearing Board.

Special Standards - In addition to the general standards for all special exceptions as contained in Section 604.f) of the Ordinance, the specific standards for particular uses as listed in ARTICLE VII must be met prior to the granting of a special exception.

ARTICLE VII

STANDARDS FOR SPECIAL EXCEPTION USES

SECTION 701 REQUIREMENT OF SPECIFIC STANDARDS

In addition to the general standards for all special exceptions as contained in Section 604J) of the Ordinance, the specific standards for the particular uses allowed by special exception are set forth in this Article. These standards must be met prior to the granting by the Zoning Hearing Board of a special exception for such uses in applicable zones.

SECTION 702 ADULT OR CHILD DAY CARE CENTER, NURSERY SCHOOL

In the R Zone and subject to the requirements of that zone except as herein modified and provided:

- a) The facility shall obtain a certificate of licensure from the Pennsylvania Department of Public Welfare and shall provide a copy of the certificate to the Township prior to occupancy approval by the Township.
- b) Outdoor play areas for children must be located in a side or rear yard and shall be sufficiently enclosed to provide for the health and safety of the children as determined by the Zoning Hearing Board.
- c) At least one (1) parking space for each employee plus one (1) space for each four (4) persons to be served by the facility shall be provided.
- d) Access shall be via an arterial or collector street as designated in the Township's Comprehensive Plan. (See Appendix I of this Ordinance.)

SECTION 703 ADULT ORIENTED FACILITY

In the R Zone and subject to the requirements of that zone except as herein modified and provided:

- a) An adult-oriented facility shall not be located within five hundred (500) feet of any residential use.
- b) An adult oriented facility shall not be located within one thousand (1, 000) feet of any church, school, library, park, playground, day care center, or any other adult regulated facility.
- c) Any building or structure used and occupied as an adult oriented facility shall be windowless or have an opaque covering over all windows or doors of any area in which materials, merchandise, film or services are exhibited or displayed; and no sale materials, merchandise, film or other offered items of service shall be visible from outside the building or structure.
- d) No sign shall be erected upon the premises depicting or giving a visual representation of the

type of materials, merchandise, film or service offered therein.

- e) Each and every entrance to the structure shall be posted with a notice that the use is a regulated facility that persons under the age of eighteen (18) are not permitted to enter and warning all others that they may be offended upon entry.

SECTION 704 AGRICULTURAL EQUIPMENT AND MACHINERY SALES AND/OR SERVICE

In the R Zone and subject to the requirements of that zone except as herein modified and provided:

- a) A planting strip at least fifteen (15) feet wide shall be provided along the public roadway.
- b) Buffer yards and additional screening shall be provided as necessary to protect adjoining properties.
- c) No unenclosed storage of parts, supplies, trash or machinery that, because of age or condition, is inoperable shall be permitted. Storage of such items shall be either within a building or in an area at the side or rear of the principal building, enclosed by a six (6) foot high fence and screened from adjoining properties. No materials may be stored so as to create a fire hazard.

SECTION 705 AIRPORT, AIRSTRIP

In the R Zone and subject to the requirements of that zone except as herein modified and provided:

- a) Lot area: Ten (10) acres minimum.
- b) The approach zone to any of the proposed runways or landing strips shall be in accordance with the regulations of applicable Federal and/or State agencies.
- c) There shall be no existing flight obstructions such as towers, chimneys or other tall structures or natural obstructions outside of the airport and located within the proposed approach zones.
- d) Any building, hangar or structure shall be located a sufficient distance away from the landing strip in accordance with the recommendations of applicable Federal and/or State agencies.
- e) Building heights in airport approach zones shall be limited to provide a clear glide path from the end of the useable landing strip. The glide path shall be a plane surface laid out in accordance with the operating characteristics of the aircraft for which the airport is designed. The final five hundred (500) feet of the glide path shall be wholly within the airport property.
- f) ~~Regarding all air strips or airports in existence on the effective date of this zoning ordinance, all buildings thereon shall have a minimum of five (5) foot front, side and rear setbacks from adjoining properties and the right of way line of streets.~~ (Ordinance 2002-02) All accessory structures shall have a minimum of 20 feet front, side and rear setbacks from adjoining properties and their right-of-way line of streets. Utility sheds shall have a 10-foot front, side and rear setback from adjoining properties and right-of-way line of streets.

SECTION 706 CAMPGROUND, RECREATIONAL VEHICLE PARK

In the R or W Zone and subject to the requirements of the zone in which located except as herein modified and provided:

- a) Lot area - Five (5) acres minimum.
- b) Setbacks - All campsites shall be located at least fifty (50) feet from any property line and one hundred (100) feet from any street line.
- c) The proposed campground/park shall furnish sanitary and garbage collection facilities, and must comply with the appropriate health, sanitary and safety regulations of Washington Township and the Commonwealth of Pennsylvania.
- d) No more than ten (10) campsites shall be permitted per acre. A parking space for one (1) automobile shall be provided at each site which will not interfere with the convenient and safe movement of traffic, plus an equivalent amount of parking shall be provided in a common area or lot.
- e) Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, plantings and open spaces.
- f) Consideration shall be given to traffic problems. If the nature of the campground or recreational vehicle park is such that it will generate a high volume of vehicular traffic, then access shall be via an arterial or collector street as designated by the Township Comprehensive Plan. (See Appendix I of this Ordinance).
- g) No campground/park may be located within one thousand (1,000) feet of an existing dwelling.
- h) A minimum of one-quarter (1/4) acre per acre of total site area shall be reserved as an outdoor play area. Each outdoor play area shall be set back at least one hundred (100) feet from any property line and screened from adjoining properties.
- i) Occupancy - The occupancy of each space shall be limited to not more than one hundred eighty (180) days in any given year.
- j) An internal road system shall be provided. The pavement width for the access drive entrance way shall be at least twenty-four (24) feet. The pavement width for internal drives shall be a minimum of sixteen (16) feet. All internal drives must be improved to a mud-free, dust-free condition.
- k) Any accessory retail or service commercial uses shall be set back at least one hundred (100) feet from any property line. Such accessory commercial uses shall be solely designed and constructed to serve the facility's registered guests and their visitors. Any parking spaces provided for such uses shall have vehicular access from the facility's internal road rather than the public street.

SECTION 707 CLUB ROOM, CLUB GROUNDS, LODGE, MEETING HALL

In the R or W Zone and subject to the requirements of the zone in which located except as herein modified and provided:

- a) Access shall be via an arterial or collector street as identified in the Township Comprehensive Plan. (See Appendix 1 of this Ordinance.)
- b) All outdoor recreation/activity areas shall be set back at least fifty (50) feet from any property line.
- c) Buffers and screens shall be provided alongside any adjoining residential use. This includes, but is not limited to, fences, walls and plantings.
- d) Parking areas must be set back at least thirty (30) feet from any adjoining residential use.
- e) Any accessory trap, skeet, rifle, pistol or archery range shall only be permitted by special exception.

SECTION 708 COMMERCIAL RECREATIONAL ESTABLISHMENT

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Setbacks - The area to be used for recreational purposes must be set back at least fifty (50) feet from any property or street line.
- b) Access shall be via an arterial or collector street as designated by the Township Comprehensive Plan. (See Appendix I of this Ordinance.)
- c) Where an outdoor recreational use, other than a golf course, adjoins a residential use, trees or shrubs must be planted on the site of this use so as to form an effective visual barrier between the outdoor recreational use and adjoining residential properties.

SECTION 709 COMMUNICATION TRANSMITTING AND RECEIVING FACILITY

In the R Zone, telephone or telegraph exchange, radio or television broadcasting towers, micro-relay stations and similar facilities are permitted subject to the requirements of that zone, except as herein modified and provided:

- a) Climbing access to the tower shall be secured from use by unauthorized persons.
- b) Buffers and screens shall be provided as necessary to adequately protect neighboring properties.
- c) Any exterior lighting shall be directed away from all adjacent properties.

SECTION 709A COMMUNICATION TOWER (Ordinance 98-18)

The following regulations have been enacted to ensure the development of an efficient telecommunications network that will serve both businesses and residents of the Township, with minimal disturbance to the community. The purpose is to protect and preserve the rights of the residents to benefit from natural, scenic, and historic values of the environment, preserve agricultural land, and provide compatible land uses as set forth in the Township Comprehensive Plan.

- a) No public business office nor any storage yard or storage building shall be operated in connection with such use.
- b) Communication Towers shall be located in woodland tracts of at least 0.5 acre to provide adequate screening of the structures to adjacent land uses, and monopole construction is mandated to lessen the footprint area disturbed by installations.
- c) Efforts must be made to collocate antennae on existing towers and structures, before new towers are erected.
- d) Buffering in accordance with Section 410 of the Washington Township Zoning Ordinance shall be required.
- e) Communication Towers shall not be equipped with lights; Communication Towers shall not be located in the vicinity of an existing airport such that the height of the tower requires it to be equipped with lights according to FAA regulations.
- f) Communication Towers shall not have advertising, attached signs, or be painted colors other than non-contrast gray.
- g) Communication Towers shall be accessed by a separately maintained road which must be stoned and at least 12' wide. A maximum of 180 linear feet of new access road will be permitted to reach Tower sites.
- h) A note will be made on each land development plan proposing a new tower, that neither the owner of the lane, nor the operator of the communication tower will prohibit or cause to prohibit the collocation of additional antennae on the tower.
- i) At the termination of use of towers by the owner, the tower, associated structures and equipment, foundations within 4 feet of the surface, paving, gravel, fencing and access road or drive shall be removed within one year. A plan shall be prepared for replacement of topsoil and vegetation on the site, to match the surrounding area. Such plan shall be prepared by a licensed Landscape Architect. These removals and renovations are deemed to be improvements in this subsection. Financial security for these improvements is required for all Communication Towers in accordance with Subdivision and Land Development Ordinance Sections 610, 611, 612 and any amendments thereto.
- j) Location and Soil Characteristics: Communication Towers shall be located upon land included within the following capability classes as classified by the Soil Survey of York County, Pennsylvania, Series 1959, No. 23 issued May 1963:

| | | |
|-----------|---|-----------------------------|
| Class III | - | Units IIIe-3 through IIIe-6 |
| Class IV | - | Units IVc-1 through IVE-6 |
| Class VI | - | Entire Class |
| Class VII | - | Entire Class |

Or on lands that cannot feasibly be farmed;

1. Due to existing features of the site such as rock outcroppings, or the fact that the area is heavily wooded; or,
2. Due to the fact that the shape of the area suitable for farming is insufficient to permit efficient use of farm machinery. Where such location is not feasible, permits shall be issued to enable Towers to be located on lands containing higher quality soils. However, in all cases such Towers shall be located on the least agricultural productive land feasible, and so as to minimize interference with agricultural production.

SECTION 710 CONTRACTOR'S OFFICE

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Outdoor storage of any materials, machinery or trash is permitted only in the side and rear yards. Such storage area shall be entirely screened from view.
- b) Satisfactory provision (for example, vegetative screening) must be made to minimize any noise generated from the use.
- c) Buffers and screens shall be provided as necessary to adequately protect neighboring properties.

SECTION 711 CONVALESCENT HOME, NURSING HOME, HOSPITAL

In the R Zone and subject to the requirements of that zone except as herein modified and provided:

- a) Lot Area: One (1) acre -minimum.
- b) Lot Width: One hundred fifty (150) feet minimum.
- c) Access shall be via an arterial or collector street as designated in the Township's Comprehensive Plan. (See Appendix I of this Ordinance.)
- d) The use shall be served by water and sewer facilities approved by the Pennsylvania Department of Environmental Resources.
- e) Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, plantings and open spaces.

SECTION 712 DOMICILIARY CARE HOME

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) The facility must be certified by the York County Area Agency on Aging prior to occupancy approval by Washington Township.
- b) Domiciliary care operations shall be conducted as an accessory use to the primary use of the property as a single-family residence.
- c) The domiciliary care home must be owner occupied and only family members residing on the premises shall provide the care associated with a domiciliary care facility.
- d) No facilities for cooking or dining shall be provided in individual rooms or suites.
- e) The home must comply with all local regulations including, but not limited to, fire, health and building codes.

SECTION 713 EATING ESTABLISHMENT

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Access shall be via an arterial or collector street as designated by the Township Comprehensive Plan. (See Appendix 1 of this Ordinance.)
- b) Screens and buffers shall be provided as necessary to adequately protect neighboring residential properties.
- c) Any outdoor storage of trash or other materials shall be entirely screened from view.
- d) Water and sewer facilities shall be approved by the Pennsylvania Department of Environmental Resources.
- e) All eating establishments shall comply with all applicable Federal, State, and local laws and regulations including, but not limited to, fire, health, safety and building codes.

SECTION 714 EXTRACTIVE OPERATIONS

In the R Zone and subject to the requirements of that zone except as herein modified and provided:

- a) Setback: No part of the extractive operation site shall be established
 - I. Within five hundred (500) yards of any dwelling, church, school or any other building(s) which from time to time are utilized for human occupancy.

2. Within one hundred (100) feet of a property or street line. Where the right-of-way is bounded on both sides by an extractive operation under single ownership the minimal setback from the public right-of-way shall be fifty (50) feet on each side of the right-of-way.
 3. Within one thousand (1,000) feet of any existing surface water.
- b) Buffer Yard: The operation must be completely encircled by a buffer yard having a minimum depth of fifty (50) feet. No activity involved in the extractive operation process shall be performed within this area.
 - c) Fencing: The premises shall be surrounded by a twelve (12) foot high chain-link fence, with necessary gates for entrance. Said fences shall be located along the required buffer yard and shall be constructed so as not to have openings larger than two (2) inches maximum dimensions, to extend at least ten (10) feet above the ground and to extend at least eighteen (18) inches below the ground.
 - d) Buffer Planting: Evergreen trees and shrubs shall be planted to completely screen the operation from normal view and from adjacent rights-of-way. The planting must be designed and planted so as to create a solid screen which will attain a height of six (6) feet within one (1) year of the planting.
 - e) All excavations shall be graded in such a way as to provide an area which is harmonious with the surrounding terrain and not dangerous to human or animal life.
 - t) Appropriate steps must be taken to ensure that the operation does not pollute ground water and/or neighboring lakes, streams, ponds or rivers. The emissions of dust, smoke, refuse matter, odor, gas, fumes, noise or similar substances or conditions which can cause any soiling or staining of persons or property at any point beyond the property line of the extractive operation shall be prohibited.
 - g) Access shall be designed to minimize danger to traffic and nuisance to surrounding properties. Access drives must also comply with the requirements set forth in Section 409 of this Ordinance.
 - h) A person or persons delegated with the responsibility of insuring that the operation is adhering to all applicable regulations must be on duty at all times during the operation of the extractive process.
 - i) The facility shall comply with all applicable State and Federal regulations,
 - j) Reclamation:
 1. Within two (2) years after the termination of the operation, the area of the excavation must be rehabilitated to a condition of reasonable physical attractiveness and as practical, restored.

2. A plan for reclamation of the site shall be submitted for review by the Township Planning Commission, the York County Conservation District, and the applicable agency of the Pennsylvania Department of Environmental Resources. Such plan shall take into consideration drainage, prevailing winds, soil erosion and other problems created by the operation; and it shall include a grading and re-use plan for the site.
3. In rehabilitating the area of excavation, the owner or operator must comply with the following standards:
 - a. Slope: The slope of earth material in any excavated area must not exceed the angle of slippage.
 - b. Topsoil and Ground Cover: Where filling of the excavated area is desirable and economically feasible, the fill must be of the kind and of the depth to sustain grass, plants or trees; and such vegetation must be planted.
 - c. Drainage: To prevent any silt or other loose material from filling any existing drainage course or encroaching on State or Township roads, all surface drainage existing or developing by or through the topsoil must be controlled by dikes, barriers or other drainage structures. All measures to control natural drainage of flood water shall be subject to the approval of the Board of Supervisors.
 - d. Removal of Plant and Equipment: Within two (2) years after termination of operations, the plant and all equipment must be removed, except where the plant and equipment are still used for processing earth material from other properties. If substantially covered, foundations and piers may be left in the ground.

SECTION 715 FLAG LOT

Section deleted: see Appendix VI

SECTION 716 GROUP DAY CARE HOME

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) The facility shall obtain a certificate of licensure or approval from the Pennsylvania Department of Public Welfare and shall provide a copy of the certificate to the Township.
- b) Outdoor play areas for children shall be sufficiently enclosed to provide for the health and safety of the children as determined by the Zoning Hearing Board.
- c) A resident of the dwelling shall operate the facility. At all times when there are more than six (6) children at the facility, a minimum of two (2) caregivers must be present. However, no more than two (2) nonresident persons may be employed as caregivers.

- d) In addition to the required parking for the dwelling unit, one (1) parking space must be provided for each non-resident employee; plus at least two (2) spaces must be provided for the day care facility.
- e) Day care operations shall be conducted so as to be clearly incidental and accessory to the primary use of the property as a residential dwelling.

SECTION 717 GROUP QUARTERS

In the R Zone and subject to the provisions of that zone, except as herein modified and provided:

- a) A minimum of two hundred fifty (250) square feet of habitable floor area shall be provided for each occupant.
- b) A common kitchen and dining facility shall be provided, and no cooking or dining facilities shall be provided in individual rooms or suites. This provision is not intended to require such facilities if the affiliated institution provides them elsewhere.
- c) The use shall be served by water and sewer facilities approved by the Pennsylvania Department of Environmental Resources.
- d) Off-street parking shall be provided for each group quarters based upon one (1) parking space for each occupant.
- e) All group quarters shall comply with all applicable building, health and fire codes.

SECTION 718 HALF-WAY HOUSE

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) A minimum of two hundred fifty (250) square feet of habitable floor area shall be provided for each occupant.
- b) A common kitchen and dining facility shall be provided, and no cooking or dining facilities shall be provided in individual room or suites. This provision is not intended to require such facilities if the affiliated institution provides them elsewhere.
- c) The facility must be served by water and sewer facilities approved by the Pennsylvania Department of Environmental Resources.
- d) All half-way houses shall comply with all applicable building, health and fire codes.
- e) Off-street parking Shall be provided for each half-way house based upon one (1) parking space for each occupant.

SECTION 719 HEAVY STORAGE, SALES AND/OR SERVICE

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Access shall be via an arterial or collector street as designated by the Township's Comprehensive Plan. (See Appendix I of this Ordinance.) Traffic routes and exits shall be located far enough from residential uses so that truck noise and vibration will be minimized.
- b) A butler yard fifty (50) feet wide must be located on the site in all instances where the site adjoins a residential use. The buffer yard shall be naturally landscaped, have no impervious cover and shall not be used for building, parking, loading or storage.
- c) Any outdoor storage area shall be enclosed by a wall or fence and screened from view of adjoining properties. No materials may be stored so as to create a public health hazard or a public nuisance.
- d) No toxic or hazardous materials may be stored on any property, except in compliance with applicable State and Federal regulations.
- e) Satisfactory provision shall be made to minimize harmful or unpleasant effects (noise, odors,, fumes, glare, vibration and smoke).

SECTION 720 HELISTOP, HELIPORT

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) This use can be considered as an accessory use to an existing or proposed principal use provided all applicable provisions for its establishment are satisfied.
- b) There shall be no existing flight obstructions such as towers, chimneys or other tall structures or natural obstructions located within the proposed approach zones.
- c) The proposed heliport/helistop shall be constructed, operated and maintained in accordance with the published rules and regulations of the Federal Aviation Administration, Pennsylvania Bureau of Aviation and the Nation Fire Protection Association governing the use of heliports.
- d) Operation of the facility shall not be detrimental to the safety and welfare of area residents.
- e) Certification that the site has been inspected and licensed by the Bureau of Aviation of the Pennsylvania Department of Transportation must be submitted to the Township prior to use of the site.

SECTION 721 HOME OCCUPATION

Subject to the requirements below, the following home occupations may be authorized only in a dwelling unit or accessory building in the R or W Zone: physician, dentist, clergyman, lawyer, engineer, accountant, architect, teacher, artist, licensed insurance or real estate agent, seamstress, barber, beautician and similar service occupations and professions.

- a) Employees: No person other than a resident of the dwelling unit may practice the occupation. No more than two (2) persons shall be employed to provide secretarial, clerical or other assistance.
- b) Pupils: No more than two (2) pupils may receive instruction at a time.
- c) Coverage: Not more than thirty percent (30%) of the gross floor area of the dwelling unit may be devoted to a home occupation(s). If located in an accessory building(s), the total area devoted to home occupation(s) shall not exceed an area equal to fifty percent (50%) of the habitable floor area of the dwelling unit.
- d) Appearance: The character or external appearance of the dwelling unit must be that of a dwelling. No display of products may be shown so as to be visible from outside the dwelling or accessory building. A sign not larger than two (2) square feet in area is permitted and may be illuminated only by indirect lighting.
- e) Parking: Besides the required parking for the dwelling unit, additional parking located in the rear yard is required as follows for each home occupation:
 1. Two (2) spaces for the home occupation and one (1) space for each nonresident employee, plus;
 2. Two (2) additional spaces shall be provided for a physician, dentist, barber or beauty shop.
 3. Garages shall not be considered parking area for home occupations. Each space provided shall not have direct access to the street to avoid vehicles backing into the flow of traffic.
- f) Sales: There shall be no stock in trade stores nor commodities kept for sale which are not goods produced on the premises or used in connection with the permitted home occupation.
- g) The following additional types of home occupations may be authorized: farm implement and equipment repair, vehicle repair, saw sharpening, woodworking, blacksmithing, and similar small shop work. Such home occupations shall comply with the above regulations for other home occupations with regard to number of persons involved, parking areas, signs, displays and sales.
- h) Outdoor Storage: If an outdoor storage area is necessary, it must be located to the side or rear of the principal building and appropriately screened from view as determined by the Zoning Hearing Board. The outdoor storage of inoperable motor vehicles on the premises shall be prohibited except as provided in Section 402-a) of this Ordinance.

- i) Nuisance Effects: The occupation shall not create objectionable noise or odor that can be detected from outside the building; nor shall it create traffic or parking problems.
- j) Impact on Neighborhood: A home occupation shall not in any way alter the character of a neighborhood nor in any way adversely affect the sale and comfortable enjoyment of properties in the vicinity.

SECTION 722 INDUSTRIAL ACTIVITIES

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Lot Area: Three (3) acres minimum.
- b) Lot Width: Three Hundred (300) feet minimum.
- c) All industrial activities shall be conducted within a completely enclosed building.
- d) Setbacks: All buildings shall be set back at least one hundred (100) feet from a street line.
- e) All storage shall be either within a building or in an area to the side or rear of the principal building enclosed by a six (6) foot high fence and screened from adjoining properties.
- f) Access shall be via an arterial or collector street as identified in the Township's Comprehensive Plan. (See Appendix 1 of this Ordinance.) Traffic entrances and exits shall be far enough from residential dwellings so that truck noise and vibration will be minimized.
- g) A buffer yard of fifty (50) feet in width must be provided along all property lines not adjacent to a public street. The buffer yard shall be naturally landscaped, have no impervious cover, and shall not be used for building, parking, loading or storage purposes.
- h) Points of ingress and egress shall be designed to minimize congestion and hazards and to allow free movement of traffic on adjacent roads.
- i) Exterior lighting shall be directed away from all adjoining properties.
- j) Satisfactory evidence must be presented to show that adequate disposal of toxic materials will be provided in a manner that will not create a public health hazard or nuisance.
- k) Satisfactory provision shall be made to minimize harmful or unpleasant effects such as noise, odors, fumes, glare, vibration, smoke, vapors and gases, electrical emissions and industrial wastes.
- l) Water and sewer facilities approved by the Pennsylvania Department of Environmental Resources must be utilized.

m) The use must comply with all applicable Federal, State and local regulations.

SECTION 723 INDUSTRIAL PARK

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Permitted Uses: Uses such as those listed as Industrial Activities in Section 303.c) of this Ordinance, and Professional, Business and Contractors' Offices shall be permitted.
- b) Lot Area: Minimum lot area must be provided equal to that total required if individual lots were to be subdivided and sold to tenants.
- c) Lot Width: Three hundred (300) feet minimum. Individual parcels within the park shall have a lot width of at least one hundred (100) feet.
- d) Individual "lots" within the park (whether or not such lots are subdivided and separately deeded) shall have minimum setbacks as follows: front, twenty-five (25) feet; each side, twenty-five (25) feet; rear, thirty (30) feet.
- e) Access: Primary access shall be via an arterial or collector street as designated in the Township's Comprehensive Plan. (See Appendix I of this Ordinance.) Truck traffic going to and from the industrial park shall be permitted only on non-residential streets.
- i) Buffers: When adjacent to a residential use, a buffer yard of not less than fifty (50) feet shall be maintained on each side adjoining the residential use. The butler yard shall be naturally landscaped, have no impervious cover, and shall not be used for buildings, parking or loading.
- g) Public water and public sewer facilities approved by the Pennsylvania Department of Environmental Protection must be provided to all tenants.
- h) All internal streets providing access to parcels within the park shall be a minimum of twenty (20) feet in width and be constructed to Township specifications. Such streets shall remain private.
- i) Satisfactory provisions shall be made to minimize harmful or unpleasant effects (noise, odors, fumes, glare, vibration, smoke, vapors and gases, electrical emissions and industrial waste). Satisfactory evidence must be presented to show that adequate disposal of toxic materials will be provided in a manner that will not create a public health hazard or nuisance.
- j) All uses within the Park must comply with all applicable Federal, State and local regulations.

SECTION 724 JUNKYARD, AUTOMOBILE DISMANTLING PLANT

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Lot Area: Five (5) acres minimum; ten (10) acres maximum.
- b) Lot Width: Three hundred (300) feet minimum.
- c) Setbacks: Any area used for this purpose must be at least seventy-five (75) feet from any property line and one hundred (100) feet from a street right-of-way line.
- d) The area to be used must be completely enclosed with a seven (7) foot high solid masonry, metal or wooden wall or fence of a uniform design, texture and structure and shall include appropriate screening. (Ordinance 98-15)
- e) A license must be obtained from the Township in compliance with the Washington Township Junkyard Ordinance prior to the operation of the facility.
- f) The facility must comply with all applicable local, State and/or Federal laws.
- g) No material may be stored or stacked higher than five (5) feet.
- h) No garbage or other organic waste shall be stored on the premises.
- i) The premises shall be maintained so as not to constitute a public nuisance or health hazard to the community or nearby residents or to create a place for the breeding of rodents or vermin.
- j) The manner of storage, arrangement of junk and the drainage facilities shall be designed so as to prevent the accumulation of stagnant water and to facilitate access for inspection purposes and firefighting.

SECTION 725 KENNEL

In the R or W Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Lot area: Five (5) acres minimum.
- b) Setbacks: All buildings, animal runs, pens, stalls, fenced enclosures and similar structures shall be located at least one hundred (100) feet from all property or street right-of-way lines.
- c) All animals must be housed within a structure except while exercising.
- d) All outdoor pasture/recreation areas shall be enclosed to prevent the escape of animals.
- e) Satisfactory evidence must be presented to indicate that adequate disposal of animal waste will be provided in a manner that will not create a public health hazard or nuisance.

SECTION 726 MEDICAL CLINIC

In an R Zone and subject to the requirements of that zone except as herein modified and provided:

- a) Lot Area: One (1) acre minimum.
- b) Lot Width: One hundred fifty (150) feet minimum.
- c) Access shall be via an arterial or collector street as designated by the Township Comprehensive Plan. (See Appendix 1 of this Ordinance.)
- d) Sewer and water facilities shall be approved by the Pennsylvania Department of Environmental Protection.
- e) Appearance should be harmonious with adjoining properties. This feature includes, but is not limited to: landscaping, height control, sign control, building coverage, and architectural controls.
- f) Butlers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, plantings, and open spaces.
- g) Accessory services, including laboratories and pharmacies for the use of patients visiting medical practitioners in the clinic, may be permitted as part of the clinic facility, subject to the following specific conditions:
 - 1. All entrances to parts of the building in which these accessory services are provided shall be from within the building and any direct access from the street is prohibited.
 - 2. The hours during which these services are provided shall be the same as those during which medical practitioners are receiving patients.
 - 3. Signs or other evidence advertising or indicating the provision of these services visible from outside the building are prohibited; except that there may be erected one (1) sign not exceeding twelve (12) square feet in area attached to the building, any illumination thereof being white, non-flashing, and limited to an enclosed lamp design.

SECTION 727 MINI-STORAGE FACILITY

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Parking for the individual storage units shall be provided by parking/driving lanes adjacent to the buildings. These lanes shall be at least twenty (20) feet wide where access to storage units is only on one (1) side of the aisle and at least twenty-four (24) feet wide where access to storage units is on both sides of the aisle.
- b) If a manager/business office is established on the site, at least four (4) parking spaces must be provided adjacent to the office.

- c) The servicing or repair of stored equipment shall not be conducted in the storage units or outdoor storage areas. In addition, no business activities (other than the rental of the storage units) shall be conducted on the premises.
- d) The storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals is prohibited.
- e) If a parking area is to be provided for the outdoor storage of recreational vehicles, such parking shall be in addition to any required parking.
- f) All outdoor lights shall be shielded to direct light onto the uses established and away from adjacent property.
- g) Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, plantings and open spaces.

SECTION 728 MOBILEHOME PARK

In the R zone and subject to the requirements of that zone, except as herein modified and provided:

- a) The minimum parcel area shall be five (5) acres.
- b) Each mobile home lot (not including street right-of-way) must not be less than seven thousand five hundred (7,500) square feet in area and shall have a lot width of not less than fifty (50) feet, measured at the front setback line. Lots shall be indicated by corner markers. Each lot shall abut a roadway not less than thirty-three (33) feet wide.
- c) Public water and public sewer approved by the Pennsylvania Department of Environmental Resources must be utilized.
- d) Setback Requirements - Each mobile home shall adhere to the following minimum setback requirements:
 - 1. Front Setback - Twenty (20) feet.
 - 2. Rear Setback - Ten (10) feet.
 - 3. Side Setbacks - Fifteen (15) feet each.
- e) The Zoning Hearing Board may require suitable screen planting or may further restrict the proximity of mobile homes or other improvement to adjoining properties, or may attach such other conditions or safeguards to the use of land for a mobile home park as the Board may deem necessary to protect the general welfare.
- t) A mobile home park and extension thereof shall also comply with all applicable State and/or municipal regulations now in effect or hereafter enacted. A permit must be obtained from the Board of Supervisors in accordance with the Washington Township Mobile Home Ordinance prior to the establishment of said park.

SECTION 729 MOBILEHOME SALES LOT

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) The lot shall be improved with a building containing an office, display room and appurtenant facilities having an area of not less than one thousand (1,000) square feet.
- b) Access shall be via an arterial or collector street as designated by the Township's Comprehensive Plan. (See Appendix I of this Ordinance.)
- c) All displayed mobile homes and any other buildings must comply with all setback requirements.

SECTION 730 MOTEL, HOTEL

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Water and sewer facilities approved by the Pennsylvania Department of Environmental Protection must be utilized.
- b) Access must be via an arterial or collector street as designated by the Township's Comprehensive Plan. (See Appendix I of this Ordinance.)
- c) A buffer yard at least fifty (50) feet wide must be provided along all property lines not adjacent to a public street. The buffer yard shall be naturally landscaped, have no impervious cover, and shall not be used for building, parking, loading or storage purposes.
- d) The use shall comply with all Federal, State and local regulations including, but not limited to, fire, health, safety and building codes.

SECTION 731 MULTI-FAMILY DWELLINGS)

In the R zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Lot Area: One (1) acre minimum.
- b) Lot Width: One hundred fifty (150) feet minimum.
- c) Public sewer and public water approved by the Pennsylvania Department of Environmental Resources must be utilized.
- d) Density: The maximum density shall be ten (10) dwelling units per gross acre.
- e) Distance Between Buildings: Where two (2) or more multi-family buildings are located on a single lot or parcel, the minimum distance between such buildings shall be fifty (50) feet.
- f) There shall be no more than eight (8) row dwellings in any one row.

- g) Length of Buildings: Two hundred (200) feet maximum.
- h) Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, plantings and open spaces.

SECTION 732 MULTI-FAMILY OR TWO-FAMILY CONVERSION

In the R zone and subject to the requirements of that zone, except as herein modified and provided:

- a) There shall be a minimum of four thousand (4,000) square foot of lot area per dwelling unit.
- b) Where an existing dwelling is converted to a multi-family or two-family dwelling, the character of the existing structure shall be maintained except for the addition of a fire escape if necessary.
- c) Parking, minimum habitable floor area and all other applicable requirements of this Ordinance shall be met.
- d) Water and sewer facilities approved by the Pennsylvania Department of Environmental Protection must be utilized.
- e) The structure shall comply with all applicable rules and regulations including, but not limited to, fire, health, safety and building codes.

SECTION 733 NONCONFORMITY, EXPANSION OF

In the R or W Zone and subject to the requirements of the zone in which located, except as herein modified and provided:

- a) Expansion of the nonconformity shall be confined to the lot on Which it is located on the effective date of-this Ordinance or any amendment thereto creating the nonconformity.
- b) The total of all such expansions of use shall not exceed an additional thirty-five percent (35%) of the area of those buildings or structures devoted to the non-conforming use as they existed on the date on which such buildings or structures first became nonconformities.
- c) Provision for driveways/access drives, off-street parking and off-street loading shall be consistent with standards required by this Ordinance.
- d) Provision for yards, building height and building area shall be consistent with the standards required for permitted uses in the zone in which the nonconformity in question is located.
- e) Appearance should be harmonious with surrounding properties. This feature includes, but is not limited to, landscaping, enclosure of principal and accessory uses, height control, sign control, architectural control and maintenance in good condition of all improvements and open spaces.
- f) Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, plantings and open spaces.

- g) The expansion shall not create new dimensional nonconformities or further increase existing dimensional nonconformities.

SECTION 734 OUTDOOR TRAP, SKEET, RIFLE, PISTOL OR ARCHERY RANGE

In the R or W Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Adjacent areas must be predominantly undeveloped and the range area must be at least two hundred (200) feet from any property or street right-of-way line.
- b) The use must also be located at least one thousand (1,000) feet from any existing residential dwelling.
- c) Except for Trap and Skeet Ranges, an earthen background berm must be provided within twenty (20) feet of the target post farthest from the firing line to prevent wild or ricocheting bullets or wild or stray arrows. Such berm shall have a slope of not less than one (1) - vertical to two (2) - horizontal and must extend at least eight (8) feet above the ground level of the highest target. The crest of the berm at the eight (8) foot minimum height limit shall be at least four (4) feet in width as measured between the wall of the berm facing the range and the opposite wall.
- d) Earthen side berms must be provided immediately adjacent to the range and shall extend from the firing line to the background berm. The side berms shall meet the same design qualifications as set forth for background berms in c) above.
- e) Only targets mounted on target posts shall be permitted. No targets of any kind shall be set directly on the ground.
- f) Warning signs must be posted at least ten (10) feet from the outside of the berms.
- g) The firing range shall be free of gravel and other hard surface materials and be adequately drained.
- h) Adult supervision must be provided for children under sixteen (16) years of age.

SECTION 735 PARK OR OTHER RECREATION AREA OF A NONPROFIT NATURE

In the R or W Zone and subject to the requirements of the zone in which it is located, except as herein modified and provided:

- a) Consideration shall be given to traffic problems. If the nature of the park or open space area is such that it will generate a high volume of vehicular traffic, then access should be via an arterial or collector street as designated in the Township's Comprehensive Plan. (See Appendix 1 of this Ordinance.)
- b) The Zoning Hearing Board shall decide the appropriateness of the design of parking, lighting, and similar features of the proposed use to minimize adverse impacts on adjacent properties.
- c) Existing trees and vegetation shall be preserved, to the extent possible, to keep the area natural.

SECTION 736 PERSONAL CARE BOARDING HOME

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) The applicant must secure a license from the Pennsylvania Department of Public Welfare and submit a copy of the license to the Township prior to occupancy approval by Washington Township.
- b) No kitchen or dining facilities shall be permitted in individual rooms or suites.
- c) The facility must meet all applicable fire, health, safety and building codes.
- d) Water and sewer facilities approved by the Pennsylvania Department of Environmental Protection must be utilized.
- e) At least one (1) parking space for each employee plus one (1) parking space for each bedroom shall be provided.

SECTION 737 PUBLIC BUILDINGS AND FACILITIES

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Consideration shall be given to traffic problems. If the nature of the public building or facility is such that it will generate a high volume of vehicular traffic, then access should be via an arterial or collector street as designated in the Township's Comprehensive Plan. (See Appendix I of this Ordinance.)
- b) All off-street parking shall be at least ten (10) feet from adjoining property lines.
- c) Outdoor storage of materials shall be completely enclosed with a six (6) foot high fence and screened from adjoining streets and property lines.

SECTION 738 PUBLIC UTILITY BUILDING AND/OR SERVICE STRUCTURE

In the R or W Zone and subject to the requirements of the zone in which located, except as herein modified and provided:

- a) In the R Zone, the storage of vehicles or equipment used in the maintenance of a utility shall not be permitted. In the W Zone, all outdoor storage shall be enclosed with a fence or wall not less than six (6) feet in height. If adjacent to a residential use, such fence or wall must be surrounded by evergreen plantings.
- b) Satisfactory provision shall be made to minimize harmful or unpleasant effects (noise, vibration, smoke and odor).
- c) The external design of the building (to the extent possible) shall be in conformity with the buildings in the surrounding area.

- d) There shall be no specific minimum lot size or lot width, however, each lot shall provide front, side and rear setbacks in accordance with the zone in which it is located.
- e) There shall be no maximum lot coverage, provided that a storm water management plan for the site is approved by the Township Engineer.

SECTION 739 RESEARCH AND DEVELOPMENT LABORATORY

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Access shall be via an arterial or collector street as designated by the Township's Comprehensive Plan. (See Appendix I of this Ordinance.)
- b) Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, plantings and open spaces.
- c) Satisfactory provision shall be made to minimize harmful or unpleasant effects (noise, odors, fumes, glare, vibration and smoke). All hazardous materials shall only be stored or disposed of in accordance with Federal and State regulations.
- d) The use must comply with all applicable Federal, State and local regulations.

SECTION 740 RETAIL STORE. PERSONAL SERVICE SHOP

In the R or W Zone and subject to the requirements of the zone in which located, except as herein modified and provided:

- a) Access shall be via an arterial or collector street as designated by the Township's Comprehensive Plan. (See Appendix I of this Ordinance.)
- b) Any outdoor display of articles for sale shall be at least fifty (50) feet from any property or street line.

SECTION 741 ROOMING HOUSE, BOARDING HOUSE

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) A rooming house or boarding house shall be owner-occupied and shall be an accessory use to a single-family dwelling.
- b) Any dwelling proposed for use as a rooming house or boarding house shall have a habitable floor area, in addition to the habitable floor area required for the principal dwelling, of three hundred (300) square feet for each roomer or boarder; provided however that each room to be used for sleeping purposes by a single person shall contain at least seventy-two (72) square feet of floor area and each room to be occupied by two (2) or more persons shall contain at least sixty-eight (68) square feet of floor area per occupant.

- c) No facilities for cooking or dining shall be provided in individual rooms or suites.
- d) All rooming houses and boarding houses shall comply with all applicable Federal, State and local laws and regulations including, but not limited to, fire, health, safety and building codes.

SECTION 742 SAWMILL OPERATION

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Lot Area: Three (3) acres minimum.
- b) No saw or other machinery shall be less than fifty (50) feet from any property or street right-of-way line.
- c) All power saws and machinery shall be secured against tampering and locked when not in use.
- d) All machinery used in the sawmill operation shall be located at least five hundred (500) feet from any residential use.
- e) Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, plantings and open spaces.

SECTION 743 SERVICE STATION, CONVENIENCE STORE DISPENSING FUEL

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Access must be via an arterial or collector street as designated by the Township's Comprehensive Plan. (See Appendix I of this Ordinance.)
- b) Pumps must be set back at least fifteen (15) feet from the street right-of-way line.
- c) Access drives must be located as follows:
 1. Minimum Offset from Intersection of Street Right-of-way Lines - Forty (40) feet.
 2. Side Lot Line Offset - Ten (10) feet.
 3. Minimum Width - Twelve (12) feet.
 4. Maximum Width - Thirty-five (35) feet.
 5. Minimum Separation of Drives on Same Lot - Twenty-five (25) feet.
- d) Except along access drives, a concrete curb, eight (8) inches in height, must be placed along all street right-of-way lines.

- e) All lights must be diverted toward the service station or downward on the lot.
- f) No outdoor stockpiling of tires or outdoor storage of trash is permitted. An area enclosed by a wall, fence or vegetative material and screened from view of adjoining properties shall be provided whenever outdoor storage is required. No materials may be stored so as to create a fire hazard.
- g) At least ten percent (10%) of the lot on which the facility is situated must be devoted to natural landscaping.
- h) Storage of materials shall conform to all applicable State and Federal regulations.

SECTION 744 SHOPPING CENTER OR MALL

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Lot Area - Five (5) acres minimum.
- b) Lot Width - Three Hundred (300) feet minimum.
- c) Setbacks - All buildings must be set back at least one hundred (100) feet from a street right-of-way line.
- d) Access must be via an arterial or collector street as designated by the Township's Comprehensive Plan. (See Appendix I of this Ordinance.)
- e) A buffer yard at least fifty (50) feet wide must be provided along all property lines not adjacent to a public street. The buffer yard shall be naturally landscaped, have no impervious cover, and shall not be used for building, parking, loading or storage purposes.

SECTION 745 SOLID WASTE PROCESSING AND/OR DISPOSAL FACILITY

In the R zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Such facility shall provide for the processing and/or disposal only of municipal or residual solid waste as defined in the Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101 of 1988, AS PA Code Chapters 271, 273, 275, 277,, 279, 281, 283 and 285 as amended, supplemented or revised, and the Washington Township Ordinance dealing with solid waste, hazardous waste and sewage, dated September, 1982.
- b) Hazardous waste, as described by the Department of Environmental Resources and the Township's Solid Waste Ordinance, shall not be disposed of within the facility.
- c) Any processing of solid waste including, but not limited to, incineration,

composting, shredding, compaction, material separation, recycling, refuse derived fuel and pyrolysis shall be conducted within a wholly enclosed building.

- b) No solid waste shall be deposited or stored within five hundred (500) feet, and no building or structure shall be located within two hundred (200) feet of any property line or street right-of-way line.
- c) No solid waste shall be deposited, either temporarily or permanently, within one thousand (1,000) feet of any pond, lake, stream or watercourse, or within one thousand (1,000) feet of any wetland meeting the definitions of the Pennsylvania Department of Environmental Protection, U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, U.S. Soil Conservation Service or the U.S. Fish and Wildlife Service.
- d) A buffer yard, at least fifty (50) feet wide, shall be located along all property lines. No structures, storage, parking or any other related activity or operation shall be permitted within this area. The buffer shall be naturally landscaped and have no impervious cover.
- e) Any area used for the unloading, transfer, storage, processing or incineration or disposal of solid waste must be completely screened from ground-level view at the property line. (The use of an earthen berm is encouraged where practicable). In addition, such areas must also be completely enclosed by an eight (8) foot high fence, with no openings greater than two (2) inches in any direction.
- f) All uses shall provide sufficiently long stacking lanes into the facility, so that vehicles waiting to be weighed will not back up onto public roads.
- g) Access to the site shall be limited to those posted times when an attendant is on duty. In order to protect against indiscriminate and unauthorized dumping, all areas of the site shall be protected by locked barricades, fences at gates or other positive means designed to deny access to the area at unauthorized times or locations.
- h) The unloading, processing and transfer of solid waste shall be continuously supervised by a qualified facility operator.
- i) Any waste that cannot be used in any disposal process, or material that is to be recycled, shall be stored in leak and vector proof containers. Such containers shall be designed to prevent their being carried by wind or water.
- j) All storage of solid waste shall be indoors in a manner that is leak and vector proof. During normal operation, no more solid waste shall be stored on the property than is needed to keep the facility in constant operation; but, in no event, for more than seventy-two (72) hours.
- k) A contingency plan for the disposal of solid waste during a facility shutdown shall be submitted to the Township.

- l) The applicant shall submit an analysis of raw water needs (groundwater or surface water) from either private or public sources indicating quantity of water required. If the source is from a municipal system; the applicant shall submit documentation that the public authority will supply the water needed.

In addition, a water Jeasibility study must be provided to enable the Township to evaluate the impact of the proposed development on the groundwater supply and on existing wells. The purpose of the study will be to determine if there is an adequate supply of water for the proposed development and to estimate the impact of the new development on existing wells in the vicinity. The water feasibility study shall be reviewed by the Township engineer.

A water system which does not provide an adequate supply of water for the proposed development, considering both quantity and quality, or does not provide for adequate groundwater recharge considering the water withdrawn by the proposed development, shall not be approved by the Township.

A water feasibility study shall include the following information:

- calculations of the projected water needs;
- a geologic map of the area with a radius of at least one (1) mile from the site;
- the location of all existing and proposed wells within one thousand (1,000) feet of the site, with notation of the capacity of all high yield wells;
- the location of all existing on-lot sewage disposal systems within one thousand (1,000) feet of the site;
- the location of all streams within one thousand (1,000) feet of the site and all known point sources of pollution;
- based on the geologic formation(s) underlying the site, the long-term safe yield shall be determined;
- a determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, streams and the groundwater table; and
- a statement of the qualifications and the signature(s) of the person(s) preparing the study.

- m) The applicant shall provide an analysis of the physical conditions of the primary road system serving the proposed use. The analysis shall include information on current traffic flows on this mad system, and projections of traffic generated by the proposed use. Improvements to the road shall be provided by the applicant to ensure safe turning movements to and from the site and safe through movement on the existing road.

- n) A detailed plan for site restoration following any solid waste disposal (landfill) activities must be submitted. Emphasis shall be placed upon reuse of the land; and a timetable indicating the phases of site restoration shall be included.
- o) No use and occupancy permit shall be issued for a solid waste processing and/or disposal facility until the operator shall have submitted to the Zoning Officer proof that the facility complies with the regulations of the Department of Environmental Resources and has been permitted in writing by said agency.

SECTION 746 TRANSPORTATION, TRUCK OR MOTOR FREIGHT TERMINAL

In the R zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Access shall be via an arterial or collector street as designated by the Township's Comprehensive plan. (See Appendix 1 of this Ordinance.)
- b) A buffer yard at least one hundred (100) feet wide must be located on the terminal site in all situations where the site adjoins a Residential use. The buffer yard shall be naturally landscaped, have no impervious cover and shall not be used for parking, building, loading or storage purposes.
- c) Storage of materials shall conform to all applicable State and Federal regulations.
- d) Satisfactory provisions shall be made to minimize harmful or unpleasant effects such as noise, odors, smoke, fumes, glare and vibration.

SECTION 747 VEHICLE SALES, SERVICE AND/OR REPAIR FACILITY

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) All service and/or repair activities shall be conducted within a wholly-enclosed building.
- b) All vehicles shall be placed at least thirty (30) feet from any street line.
- c) All exterior vehicle storage areas shall be screened from view of any adjoining residential use.
- d) The storage of unlicensed vehicles on the premises is prohibited, except for new or used vehicles that are "for sale."
- e) All merchandise, except vending machines, shall be stored within a building.
- f) If gasoline pumps are to be installed, all special exception requirements for a service station, as set forth in Section 743 of this Ordinance, shall be satisfied.

- g) No outdoor stockpiling of tires or outdoor storage of trash is permitted. An area enclosed by a wall or fence, screened from view of adjoining properties, shall be provided whenever outdoor storage is required. No materials may be stored so as to create a fire hazard.
- h) Satisfactory provisions shall be made to minimize harmful or unpleasant effects such as noise, odors, fumes, glare, vibration and smoke.

SECTION 748 VEHICLE WASHING FACILITY

In the R zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Trash receptacles must be provided and routinely emptied to prevent the scattering of litter.
- b) Access shall be via an arterial or collector street as identified by the Township's Comprehensive Plan. (See Appendix 1 of this Ordinance.)
- c) Sufficient stacking lanes shall be provided to prevent vehicle back-up on adjoining roads.
- d) Sewer and water facilities approved by the Pennsylvania Department of Environmental Protection must be utilized.
- e) A water feasibility study must be submitted to assure that adequate water supply is available and will not adversely affect neighboring properties.

SECTION 749 WHOLESALE ESTABLISHMENT

In the R Zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Access shall be via an arterial or collector street as identified by the Township's Comprehensive Plan. (See Appendix I of this Ordinance.)
- b) Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, plantings and open space.
- c) No outdoor storage of commodities is permitted.

SECTION 750 WHOLESALE VEHICLE SALES TERMINAL OR AUCTION

In the R zone and subject to the requirements of that zone, except as herein modified and provided:

- a) Access shall be via an arterial or collector street as designated by the Township's Comprehensive Plan. (See Appendix I of this Ordinance.)
- b) A buffer yard, at least one hundred (100) feet wide, must be located on the terminal site in all situations where the site adjoins a residential use. This yard shall be naturally landscaped, have no impervious cover, and shall not be used for parking, building, loading or storage purposes.
- c) Satisfactory provision shall be made to minimize harmful or unpleasant effects (noise, odors, fumes, glare, vibration, smoke).
- d) Vehicle loading and unloading is prohibited between 11:00 p.m. and 6:00 a.m.

SECTION 751 Advertising (Billboard) Sign, In the R zone and subject to the requirements of that zone, except as herein modified (Ordinance 2005-02)

- a) Advertising signs shall be permitted in addition to the principal use of any lot.
- b) Advertising signs shall only be permitted along either minor arterial routes PA194 or PA74, as described in the Washington Township Comprehensive Plan.
- c) Only one (1) advertising sign per lot shall be permitted.
- d) No advertising sign shall exceed an overall size of one hundred fifty (150) square feet. nor exceed thirty-five (35) feet in height.
- e) No advertising sign shall be located within five hundred (500) feet of another advertising sign.
- t) All advertising signs shall be a minimum of fifty (50) feet from all side and rear property lines and from any driveway.
- g) All advertising signs shall be set back a minimum of twenty (20) feet from any street right-of-way line.
- h) No advertising sign shall obstruct the vision of motorists or adjoining commercial or industrial uses which depend upon visibility for identification.
- i) Each sign shall have approval from Pennsylvania Department of Transportation (PENN DOT).

ARTICLE VIII

ADMINISTRATION AND ENACTMENT

SECTION 801 PERMITS

A) Building Permits:

1. When Required: A building permit, which must be obtained from the Zoning Officer, shall be required for the erection, enlargement, repair, alteration, moving of any structure, except temporary signs and fences.
2. Duration of Permit: Work authorized by the permit shall begin within ninety (90) calendar days and shall be fully completed within a period of one (1) calendar year from the date of issuance of the building permit or the permit shall expire. However, in the case of large or extensive projects, the applicant may specify the estimated project completion date, upon concurrence of the Zoning Officer, on which date the permit shall expire; or the Zoning Officer may extend the time for completion to a period not exceeding two (2) years from the date of issuance, provided the work authorized by the permit has commenced within the initial ninety (90) day period. Time extensions shall be granted only if a written request is submitted by the applicant, which sets forth sufficient and reasonable cause for the Zoning Officer to approve such a request.
3. Application: The permit application must be accompanied by a site plan showing as necessary to demonstrate conformity to this Ordinance --
 - a. Lot: The location and dimensions of the lot.
 - b. Streets: Names and widths of abutting streets and highways.
 - c. Structures and Yards: Locations, dimensions, and uses of existing and proposed structures and yards on the lot and, as practical, of any existing structures within one hundred (100) feet of the proposed structure but off the lot.
 - d. Improvements: Proposed off-street parking and loading areas, access drives, and walks. Proposed sewage disposal system.

For lots less than one half (1/2) acre, the site plan must be at the scale of one (1) inch equals twenty (20) feet; for larger lots, the site plan must be at the scale of one (1) inch equals forty (40) feet. The north point must be shown on all plans.

B. Certificates of Use:

1. **When Required:** A certificate of use, certifying compliance with this Ordinance, must be obtained from the Zoning Officer for any new structure, or for any change of use of a structure or land as set forth below before such new structure or use or change of use is occupied or established:
 - a. Use of a structure erected, structurally altered or extended, or moved after effective date of this Ordinance.
 - b. Use of vacant land except for agricultural purposes.
 - c. Any change in a conforming use of a structure or land.
 - d. Any change from a nonconforming use of a structure or land to a conforming use.
 - e. Any change in the use of a structure or land from that permitted by any variance of the Zoning Hearing Board.
2. **Application:** An application for a Certificate of Use must include a statement of the intended use and any existing use of the structure or land. The Certificate continues in effect as long as the use of the structure or land for which it is granted conforms with this Ordinance.

C. Driveway Permit: (Ordinance 2002-02)

1. No person shall connect or construct any private driveway, street or alley to any Township Road, nor shall provide any access from any Township Road to any private driveway, street or alley, unless a permit has first been obtained therefore from the Board of Supervisors.
2. **Application for Permit.** Any person making application for such a permit shall submit to the Board of Supervisors a plan or drawing, showing the grade and level of the private driveway, street or alley, and the public or Township Road, at the proposed location of said intersection of the private drive and the Township Road which provides for the disposition of storm water.
3. **Construction of Driveways.** Private driveways shall conform to the requirements of Section 409.
4. **Subdivisions.** It shall be necessary to obtain a permit as aforesaid where the intersection of the private driveway and the Township Road, and the grade and the levels thereof are shown on a subdivision plan approved by the Board of Supervisors, and where such driveway is constructed in accordance with said plan.

D. Solar Permit Administration and Enforcement (2025-03)

1. **Applications**
 - i. Permit applications shall document compliance with this Ordinance and shall be accompanied by drawings showing the location of the solar energy system on the building or property, including property lines. Permits must be kept on the premises where the solar energy system is located.

- ii. The permit shall be revoked if the solar energy system, whether new or pre-existing, is moved or otherwise altered, either intentionally or by natural forces, in a manner which causes the solar energy system not to be in conformity with this Ordinance.
- iii. The solar energy system must be properly maintained and be kept free from all hazards, including but not limited to, faulty wiring, loose fastenings, in an unsafe condition or detrimental to public health, safety or general welfare.
- iv. An approved land development plan shall accompany all permit applications excluding those for ASES which are accessory to a single-family residential use.

B. Fees and Costs

- ii. The Applicant shall pay all permit application fees and inspection fees when seeking approval of a solar energy system under this Ordinance. Such fees shall be set by Resolution.
- iii. The applicant shall, prior to receiving an approved permit, reimburse Washington Township for any actual fees or costs incurred arising out of or related to the Application. Costs shall include, but not be limited to, engineering, zoning officer, Building Code Official, and legal fees.

C. Modifications

- ii. Washington Township may grant modifications of the requirements of one or more provisions of this Ordinance if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the property in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of the Ordinance is observed.
- iii. All requests for a modification shall be in writing and shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provisions or provision of the Ordinance involved and the minimum modification necessary.

D. Enforcement

- i. Upon receipt of a written complaint setting forth the existence of unauthorized construction, modification or use in violation of this Ordinance, or other notice thereof, Washington Township Zoning Officer or Solicitor shall cause written notice to be given either personal service or registered or certified mail to the Applicant of the property upon which the violation exists, to immediately cease the construction, modification or unauthorized use of the solar energy system. Such a written notice shall be required to enforce the remedies set forth in this section. Washington Township shall still be entitled to give verbal notice for defective systems as authorized in this Ordinance.
- ii. Upon failure of such Applicant to comply as directed in said notice, the Zoning Officer or Solicitor may appear on behalf of the Township and initiate legal proceedings to enforce the provisions of this Ordinance before a District Magistrate.
- iii. Any Applicant who shall violate the provisions of this Ordinance shall upon being found liable in a civil enforcement proceeding by Washington Township before a District Magistrate, pay a fine of not less than Five Hundred Dollars (\$500) plus all court costs, including attorney fees incurred by Washington Township. Each day a violation exists and is continued shall constitute a separate offense as determined by the District Magistrate.
- iv. In addition, Washington Township shall be entitled to recover from the Applicant all Township costs or fees arising out of or related to the application or enforcement of this Ordinance. (2025-03)

SECTION 802 ENFORCEMENT - ZONING OFFICER

- a) Appointment and Powers: For the administration of this Ordinance, a Zoning Officer, who may not hold any elective office in the Township, shall be appointed by the Board of Supervisors. The Zoning Officer shall meet qualifications established by the Township and shall be able to demonstrate to the satisfaction of the Township a working knowledge of municipal zoning. The Zoning Officer shall administer this Ordinance in accordance with its literal terms and shall not have the power to permit any construction or any use or change of use which does not conform to this Ordinance. The Zoning Officer is the enforcement officer for this Ordinance. The Officer issues all building permits, use certificates, and at the direction of the Zoning Hearing Board, special exceptions and variances. The Zoning Officer may identify and register nonconforming uses and nonconforming structures together with the reasons why they were identified as nonconformities. The Zoning Officer may conduct inspections and surveys to determine compliance or noncompliance with the terms of this Ordinance with consent of the owner.
- b) Forms: The Zoning Officer must provide a form or forms approved by the Township Solicitor for -
1. Building permits.
 2. Special exceptions.
 3. Use certificates.
 4. Appeals.
 5. Variances.
 6. Registration of non-conforming uses and nonconforming structures.
- c) Transmittal of Papers: Upon receipt of an application for a special exception, variance or a notice of appeal, the Zoning Officer must transmit to the Secretary of the Zoning Hearing Board and to the Township Planning Commission, copies of all papers constituting the record upon the special exception, variance or appeal.
- d) Action on Building Permits: Within fifteen (15) days, except for holidays, after receipt of an application for a building permit, the Zoning Officer must grant or refuse the permit. If the application conforms to the applicable requirements of the Washington Township Building Permit Ordinance and this Ordinance, the Zoning Officer must grant a permit. If the permit is not granted, he must state in writing the grounds for his refusal.
- e) Action on Use Certificates: Within fifteen (15) days, except for holidays, after receipt of an application for a use certificate, the Zoning Officer must grant or refuse the certificate. If the specifications and intended use conform in all respects with the provisions of this Ordinance, he must issue a certificate to that effect. Otherwise, he must state in writing the grounds for his refusal.
- f) Revoking Permits/Approvals: The Zoning Officer shall revoke a permit or approval issued under the provisions of this Ordinance in the case of any false statement or misrepresentation of fact in an application or on the plans on which the permit or approval was based. Any permit issued in error shall in no case be construed as waiving any provision of this Ordinance and such permit may be revoked.
- g) Enforcement: Upon determining that a violation of any of the provisions of this Ordinance exists, the Zoning Officer must send an enforcement notice to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner of record. An enforcement notice shall state at least the following:

1. The name of the owner of record and any other person against whom the Township intends to take action.
2. The location of the property in violation.
3. The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of the Ordinance.
4. A statement that the steps for compliance must be commenced within fifteen (15) days of the date of the notice and must be completed within forty-five (45) days of the date of the notice.
5. A statement that the recipient of the notice has the right to appeal to the Zoning Hearing Board within fifteen (15) days of the date of the notice in accordance with procedures set forth in Article VI.
6. A statement that failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation in accordance with Section 809 of this Ordinance.

h) Records: The Zoning Officer must keep record of:

1. All applications for building permits, use certificates, special exceptions and variances and all actions taken on them, together with any conditions imposed by the Zoning Hearing Board.
2. All complaints of violations of provisions of this Ordinance and the action taken on them.
3. All plans submitted.
4. Nonconforming uses and nonconforming structures that have been registered.

All such records and plans shall be available for public inspection.

i) Reports: At intervals of not greater than six (6) months, the Zoning Officer must report to the Board of Supervisors --

1. The number of building permits and use certificates issued.
2. The number of complaints of violations received and the action taken on these complaints.

SECTION 803 AMENDMENTS

- a) Authority: The Board of Supervisors may from time to time amend, supplement or repeal any of the regulations and provisions of this Ordinance.
- b) Public Hearing(s): Before voting on the enactment of an amendment, the Board of Supervisors shall hold a public hearing thereon, pursuant to public notice. In the case of an amendment other than that prepared by the Township Planning Commission, the Board of Supervisors shall submit each such amendment to the Planning Commission at least thirty (30) days prior to the hearing on such proposed amendment to provide the Planning Commission an opportunity to submit recommendations. If after any public hearing held upon an amendment, the proposed amendment is changed substantially, or is revised, to include land previously not affected by it, the Board of Supervisors shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.
- c) County Planning Commission Review: At least thirty (30) days prior to the Board of Supervisors' public hearing on any amendment, the Township shall submit the proposed amendment to the County Planning Commission for recommendations.
- d) Amendments Involving Zoning Map Changes: If the proposed amendment involves a zoning map change, notice of the required public hearing shall be conspicuously posted by the Township along the perimeter of the tract to notify potentially interested citizens. The affected tract or area shall be posted at least one (1) week prior to the date of the hearing.
- e) Enactment of Amendments: Proposed amendments shall not be enacted unless notice of proposed enactment is given in the manner set forth in this Section, and shall include the time and place of the meeting at which passage will be considered, a reference to a place within the Township where copies of the proposed amendment may be examined without charge or obtained for a charge not greater than the cost thereof. The Board of Supervisors shall publish the proposed amendment once in one (1) newspaper of general circulation in the Township not more than sixty (60) days nor less than seven (7) days prior to passage. Publication of the proposed amendment shall include either the full text thereof or the title and a brief summary, prepared by the Township Solicitor and setting forth all the provisions in reasonable detail. If the full text is not advertised, then --
 - 1. A copy thereof shall be supplied to the newspaper in general circulation in the Township at the time the public notice is published, and
 - 2. An attested copy of the proposed ordinance shall be filed in the County Law Library or other County offices designated by the County Commissioners, who may impose a fee no greater than that necessary to cover the actual costs of storing the Ordinance.

In the event substantial amendments are made in the proposed amendment, before voting upon enactment, the Board of Supervisors shall, at least ten (10) days prior to enactment, readvertise in one (1) newspaper of general circulation in the Township, a brief summary setting forth all the provisions in reasonable detail together with a summary of the amendments.

Within thirty (30) days after enactment of any amendment to the Zoning Ordinance, a copy of the amendment shall be forwarded to the County Planning Commission.

- f) Landowner Curative Amendments: A landowner who desires to challenge on substantive grounds the validity of an ordinance or map or any provision thereof which prohibits or restricts the use or development of land in which he has an interest may submit a curative amendment to the Board of Supervisors with a written request that his challenge and proposed amendment be heard and decided as provided for, and in accordance with, the procedures set forth in Sections 609.1 and 916.1 of the Pennsylvania Municipalities Planning Code, as amended.
- g) Municipal Curative Amendments: If the Township determines that its Zoning Ordinance or any portion thereof is substantially invalid, the Township shall declare by formal action, its Zoning Ordinance or portions thereof substantially invalid and propose to prepare a curative amendment to overcome such invalidity as provided for, and in accordance with, the procedures set forth in Section 609.2 of the Pennsylvania Municipalities Planning Code, as amended.

SECTION 804 FEES

The Board of Supervisors shall by resolution establish fees for all applications, permits, or appeals provided for by this Ordinance to defray the costs of advertising, mailing notices, processing, inspecting, and copying applications, permits, and use certificates. The fee schedule shall be available at the Township Office for inspection.

SECTION 805 APPEALS

Any person aggrieved or affected by provision of this Ordinance or decision of the Zoning Officer, Township Engineer, Zoning Hearing Board or Board of Supervisors may appeal in the appropriate manner as set forth in either Article IX or X-A of the Pennsylvania Municipalities Planning Code, as amended, whichever is applicable.

SECTION 806 REPEALER

ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT with this Zoning Ordinance, or inconsistent with the provisions of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 807 INTERPRETATION

The provisions of this Ordinance shall be held to be minimum requirements to meet the purposes of this Ordinance. When provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance, or regulations, the provisions of this Ordinance shall prevail. When provisions of any statute, other ordinance or regulation impose greater restrictions than those of this Ordinance, the provisions of such statute, ordinance or regulation shall prevail.

SECTION 808 VIOLATIONS

In case any building,, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Ordinance, the Board of Supervisors or, with approval of the Board of Supervisors, an officer of the Township, or any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, may institute any appropriate action or proceeding to prevent, restrain, correct, or abate such building, structure or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon the Board of Supervisors at least thirty (30) days prior to the time the action is begun by serving a copy of the complaint on the Township. No such action may be maintained until such notice has been given.



SECTION 809 PENALTIES

Any person, partnership or corporation who or which has violated or permitted the violation of the provision of this Ordinance shall upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than five hundred dollars (\$500) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the District Justice determining that there has been a violation farther determines that there was a good faith basis for the person, partnership or corporation violating this Ordinance to have believed that there was not such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) day following the date of the determination of a violation by the District Justice and thereafter each day that a violation continues shall constitute a separate violation.

All judgments, costs and reasonable attorney fees collected for the violation of this Ordinance shall be paid over to the Township.

SECTION 810 VALIDITY

If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by a recognized court of the Commonwealth, such decision shall not affect the legality of the remaining sections, clauses, provisions or portions of this Ordinance.

SECTION 811 EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption and publication according to law.

Adopted by the Board of Supervisors of Washington Township, York County, Pennsylvania and enacted and ordained into an ordinance the 17th day of October 1977, amended this 21st day of December 1992.

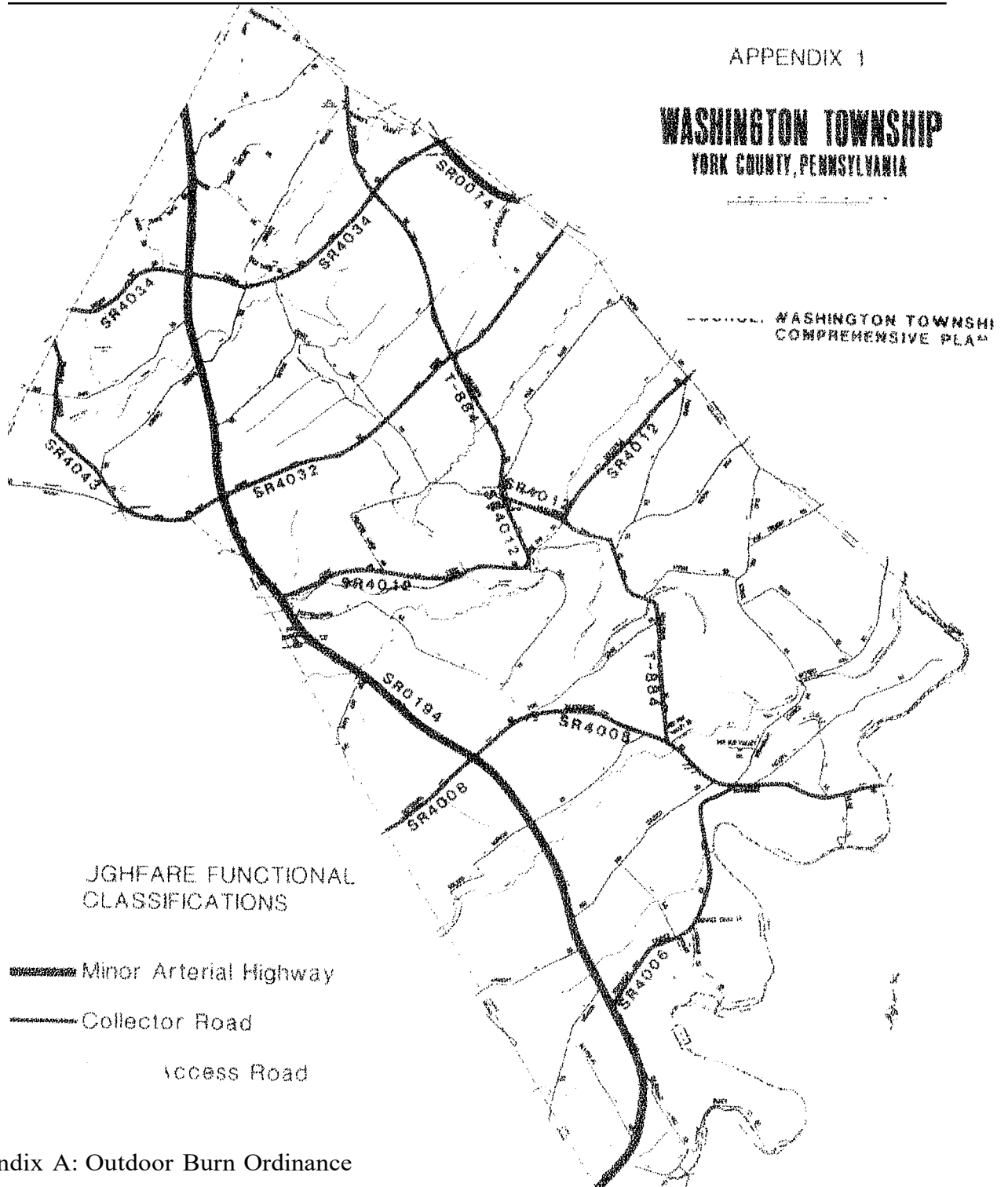
Board of Supervisors Washington Township York County, Pennsylvania

Daniel L. McGregor, Chairman
Harlen Anderson, Jr., Vice-Chairman
Donald Hull, Supervisor

Attest:
Elizabeth M. Hull, Secretary, Washington Township

(Edited 2025 09 07 – RB)
(Edited 2026 01 07 – RB)

APPENDIX



Appendix A: Outdoor Burn Ordinance
WASHINGTON TOWNSHIP YORK COUNTY, PENNSYLVANIA
ORDINANCE NO. 97-05

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF WASHINGTON TOWNSHIP, YORK COUNTY, PENNSYLVANIA, ESTABLISHING RULES AND REGULATIONS FOR OUTDOOR BURNING AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

Section 1 - Outdoor Fires Prohibited. A person, firm, association or corporation shall not set or maintain any fire upon any of the streets, sidewalks, alleys, public grounds or any other privately owned ground in the Township of Washington, or burn or cause to be burned thereon any paper, boxes, rubbish, leaves or any other kind of substance, nor shall any person or persons set or maintain any fire, burn or cause to be burned, any substance or materials of any kind out of doors anywhere in Washington Township except as set forth in Section 2 and 3 herein, and as conditioned by the regulations set forth in Section 4 herein.

Section 2 - Exceptions and Conditions. The following out-of-door fires shall be allowed, as set forth below, but shall be limited by the conditions set forth below in Section 4:

Out-of-door fires of agricultural or household products such as paper, cardboard, packaging material or similar non-toxic substances may be burned any time in a non-combustible container which must be thirty (30) gallons or larger and must be covered with a small mesh screen of one-half (1/2) inch square or smaller or other protective material. Said container must be located at least twenty (20) feet from any structure. Said fire must be under the direct control at all times of an adult individual.

B. Campfires for warmth, fellowship, food preparation or ceremonial purposes by bona fide groups of individuals not to exceed one hundred (100) persons such as home camps or public organizations such as Boy Scouts or Girl Scouts shall be allowed provided such fires must be under the direct control of adults and such fires must be contained or placed in a safe, private area.

C. Open fires shall be allowed in any zone on lots larger than seventy thousand (70,000) square feet. Such fire must be located at least one hundred (100) feet from any structure and must be under the direct control of an adult individual.

D. Fires set in performance of public duty by any fireman or public official for official purposes shall be allowed.

Section 3 - Notification of Township

1. Any party wishing to kindle or maintain an open fire not described in the exceptions set forth in Section 2, must notify Washington Township office at least 3 days before any such burn.

2. This Ordinance shall not create liability on the part of Washington Township or any official or employee thereof for any damages that result from reliance on this Ordinance or any registration required hereunder or any administrative decision made hereunder.

Section 4 - Regulations. The following regulations shall be applicable to all fires allowed in Section 2 and 3:

A All persons maintaining any fire must notify York County Control at 911 and inform them of the date and location of all outdoor burnings. The fires excepted pursuant to Section 2A and D shall be exempt from this condition.

B. No person or persons shall set or maintain any fire or bum or cause to bum any substance or material of any kind out-of-doors anywhere in Washington Township except from one-half (1/2) hour after sunrise to one-half (1/2) hour before sunset. Any fires still burning at sunset or dark must be extinguished by water or chemical extinguisher. The campfire exception set forth in section 2.B. and the container exception set forth in Section 2.A above, shall be exempt from this condition.

C. No garbage or offal may be burned at any time either indoors or outdoors.

D. Washington Township Supervisors shall reserve the right to place a burning ban or to impose a burning ban in compliance with any order or other directive from the Commonwealth of Pennsylvania or York County, or at the sole discretion of the Supervisors.

Section 5 - Enforcement. The Township Zoning Officer, the Emergency Management Director or the acting Police Department for Washington Township shall enforce the provisions of this Part.

Section 6 - Penalties. Any person who shall violate any provision of this Part shall, upon conviction thereof; be sentenced to pay a fine of not more than six hundred dollars (\$600.00) and costs of prosecution and, in default of payment of such fine and costs, to a prison term of not more than thirty (30) days.

Section 7 - The provisions of any prior Ordinance which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

TOWNSHIP OF WASHINGTON, YORK COUNTY, PENNSYLVANIA

Supervisor
[Handwritten signature]
 supervisor
[Handwritten signature]
 Supervisor
[Handwritten signature]

Daniel L McGregor
Harlan Anderson, Jr
Donald A Hull

ENACTED AND ORDAINED this 17th day of November 1997 Attest:

Appendix B: Junk Dealers and Junkyard Ordinance

AN ORDINANCE OF WASHINGTON TOWNSHIP, YORK COUNTY, PENNSYLVANIA Regulating Junk Dealers and Junkyards

Section 1. Short Title. This Ordinance shall be known and may be cited as "Washington Township Junkyard and Refuse Ordinance".¹

Section 2. Definitions. The following words and phrases when used in this Ordinance shall, for the purpose of this Ordinance, have the following meanings, respectively, except in those instances where the* context clearly indicates a different meaning:

BOARD - The Board of Supervisors of Washington Township

Junk - any discarded material or article and shall include, but not be limited to, scrap metal, scrapped, abandoned, Junked, damaged or wrecked motor vehicles, machinery, equipment, paper, glass containers, building materials and structures. It shall not include, however, refuse or garbage kept in a proper container for the purpose of prompt disposal. The failure of any motor vehicle to bear a current state registration and/or a current official state inspection emblem issued by the Bureau of Motor Vehicles of the Commonwealth of Pennsylvania or of some other state, shall be prima facie evidence that such motor vehicle is an abandoned and/or junked motor vehicle.

JUNKYARD - any place where any junk as hereinafter defined is accumulated, stored, or disposed of

JUNK DEALER - any person, as hereinafter defined, who shall engage in the business of selling, buying, salvaging, and dealing in junk, or who causes or permits damaged or wrecked motor vehicles to be stored upon premises owned or occupied by him, and who maintains and operates a junkyard within the Township of Washington,

LICENSE - the permit granted to a person who accumulates, stores or disposes of junk as hereinbefore defined.

PERSON - any natural person, partnership, association, firm or corporation.

TOWNSHIP- Washington Township, York County, Pennsylvania.

Section 3. License. No person shall engage in business as a junk dealer or maintain a junkyard within the Township without first having obtained a license from the Board, for which license a fee as hereinafter set forth shall be paid to the Township for the use of the Township. The license shall be issued for the twelve (12) month period beginning January 1 and ending December 31 of each year, and each license must be renewed annually on or before the first day of January of each year. At least thirty (30) days prior to the expiration of the current existing license year, each licensee shall file a written application for renewal of his license with the Township Secretary, which application shall contain an affidavit under oath by the licensee that he is not maintaining a junkyard within the Township in violation of the terms of this Ordinance. Upon receipt of an application for renewal of a license, the Board may inspect the premises of the applicant and shall have the right to refuse a renewal of any license where the applicant is not in compliance with the provisions of this Ordinance and any regulations adopted hereunder; provided, however, that such refusal shall be in writing and shall contain the reasons for such refusal. The applicant shall have a period of ten (10) days from the date of said notice of refusal to renew his license to cure any deficiencies and/or to comply with the provisions of this Ordinance.

Section 4. Application for License. The license provided for in this Ordinance shall be issued by the Board after written application shall have been made therefore by the person desiring to be licensed. Such license shall state the name of the person to whom such license is issued and the premises on which such business is to be conducted, or

such junkyard to be maintained. Such license shall be posted conspicuously upon the premises licensed thereunder. The written application for license hereinabove mentioned shall be accompanied by a form every question of which must be answered, which form will be supplied by the Board. Applicant shall also submit therewith a plot of the premises used or to be used in connection with such license.

Section 5. Issuance of License Upon receipt of an application by the Board, the Board shall inspect the premises of the applicant to determine whether or not the applicant is in complete compliance with all of the provisions and terms of this Ordinance and the regulations adopted hereunder. Unless the Board shall determine that the premises of the applicant are in full compliance with such requirements, it shall not issue a license. In the event that the Board refuses to issue a license hereunder, it shall so notify the applicant in writing setting forth the reasons for such refusal.

Section 6. License Fee. A license fee in the amount of one hundred fifty (\$150.00) dollars shall be paid Immediately upon the Issuance or renewal of a license.

Section 7. License Limitation. No Person under this Part 1 shall, by virtue of one (1) license keep more than one (1) place of business within the Township or maintain more than one junkyard, for the purpose of buying, selling and dealing in junk. No person shall engage in business as a junk dealer in any place other than the place designated upon his license or maintain a junkyard in any place other than the place designated upon his license. Notwithstanding the fact that an applicant, for a license may own property on both sides of a Public, road, the premises licensed hereunder shall be limited to that part of such property which is on one side of said public road only.

Section 8. Transfer of License. No license issued by the Board shall be transferable by the licensee to any other person unless such a transfer is authorized by the Board. Any person desiring to transfer his license shall notify the Board in writing, which notification shall be accompanied by an application for a license, as described in Section 4 of this Ordinance, by the transferee.

Section 9. Transfer Fee.

In the event the Board shall approve the transfer of a license, the transferee shall immediately pay to the Township a transfer fee of one hundred (\$100.00) dollars.

Section 10. Records. Every person licensed under this Ordinance shall provide and shall constantly keep a book, in which shall be clearly written down in the English language at the time of the purchase of any junk, a description of every article or material purchased or received by him, the date and hour of such purchase, or receipt, and the person from whom such article or material was purchased, received or handled by such person, which book shall at all times be subject to the inspection of the Board and/or any police official of the Township or other person authorized by the Board.

Section 11. Delay in Disposal. Every person, licensed under this Ordinance shall keep and retain upon the licensed premises, for a period of forty-eight (48) hours after the purchase or receipt thereof: all junk received or purchased by him, and shall not disturb or reduce the same or alter the original form, shape or condition until such period of forty-eight (48) hours shall have elapsed.

Section 12. Regulations. Every person licensed under this Ordinance shall constantly maintain the licensed premises in accordance with the following regulations and any subsequent regulations adopted by the Board:

1. Such premises shall at all reasonable times be subject to inspection of the Board and/or any police official of the or other person authorized by the Board.

2. Such premises shall at all times be maintained so as not a nuisance or a menace to the health of the community nearby or a place for the breeding of rodents and vermin.

3. No garbage or organic waste shall be stored on such premises.

4 Whenever any motor vehicle shall be received on such premises as junk, all gasoline and oil shall be drained and removed therefrom. Gasoline in an amount not exceeding ten (10) gallons may be stored above ground in a junkyard provided the same be placed in containers approved by the Board. All other gasoline which is kept on the premises shall be stored underground, which underground storage must be approved by the Board. All state and federal regulations regarding such storage shall also be complied with.

5. The manner of storage and arrangement of junk, and the drainage facilities of the premises shall be such as to prevent the accumulation of stagnant water upon the premises, and to facilitate access for fire-fighting purposes. Junked automobiles shall be spaced in rows with at least fifteen (15) feet between each double row to permit movement of fire equipment. Junk shall not be piled to a height of more than eight (8) feet above the ground.

6. No junk (as defined by Section 2) shall be burned on the licensed premises.

7. No junkyard shall be operated on Sunday, nor between the hours of 8:00 PM and 7:00 AM, except to remove a wrecked automobile from a public highway.

8 An adult attendant shall at all times during business hours remain on the premises.

9. All junk shall be stored and set back at least fifteen (15) feet from any adjoining premises and at least thirty (30) feet from the nearest edge of the cartway of any public road and highway.

10. All junk stored on the licensed premises shall be enclosed with a fence at least eight (8) feet in height.

Section 13. Additional Regulations. The Board may from time to time adopt such additional regulations to carry out the provisions of this Ordinance as it deems necessary upon notice to existing licenses affected by such additional regulations.

Section 14. Violations. Any person or entity violating any of the provisions of this Ordinance or neglecting to comply with this Ordinance shall be guilty of violating this Ordinance and upon being found liable therefore, in a civil enforcement proceeding commenced by the Township, pay a fine not to exceed Six Hundred (\$600.00) dollars, plus all court costs, including reasonable judgment, Washington Township may enforce the judgment pursuant to the applicable Rules of Civil Procedure.

Section 15: Repealer: All prior ordinances or parts thereof which are inconsistent herewith, are hereby repealed to the extent of such inconsistency.

Section 16: Effective Date: This ordinance shall be effective upon enactment. Enacted

and Ordained this 18th day of November 1996

Appendix C: Sketches and Maps

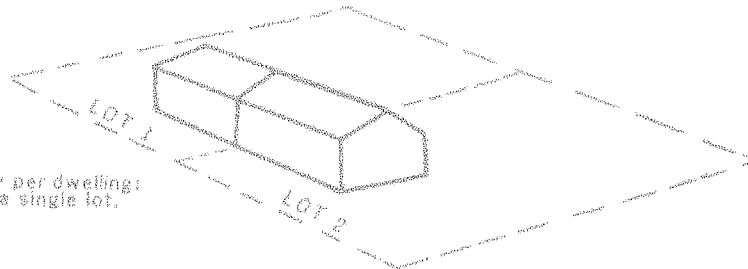
SKETCHES OF RESIDENTIAL DWELLING TYPES

SINGLE FAMILY DETACHED DWELLING



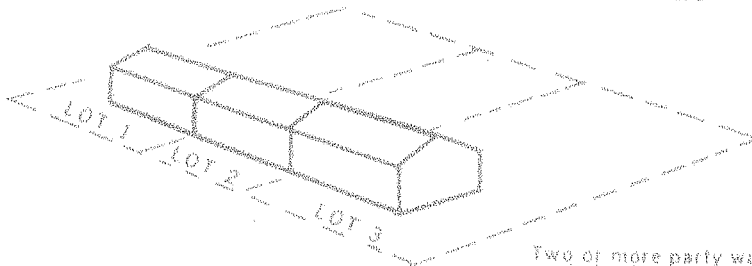
No party wall, one family, located on a single lot.

SINGLE FAMILY SEMI-DETACHED DWELLING



One party wall, one family per dwelling; each dwelling located on a single lot.

SINGLE FAMILY ATTACHED DWELLINGS



Two or more party walls, one family per dwelling; each dwelling located on a single lot.

TWO FAMILY DWELLINGS



No party wall, one unit per floor; building located on a single lot.

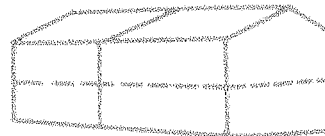


One party wall, one family per unit, both units located on a single lot.

MULTI-FAMILY



Two or more party walls, three or more families; all units located on a single lot.



One or more party walls, four or more families; all units located on a single lot.

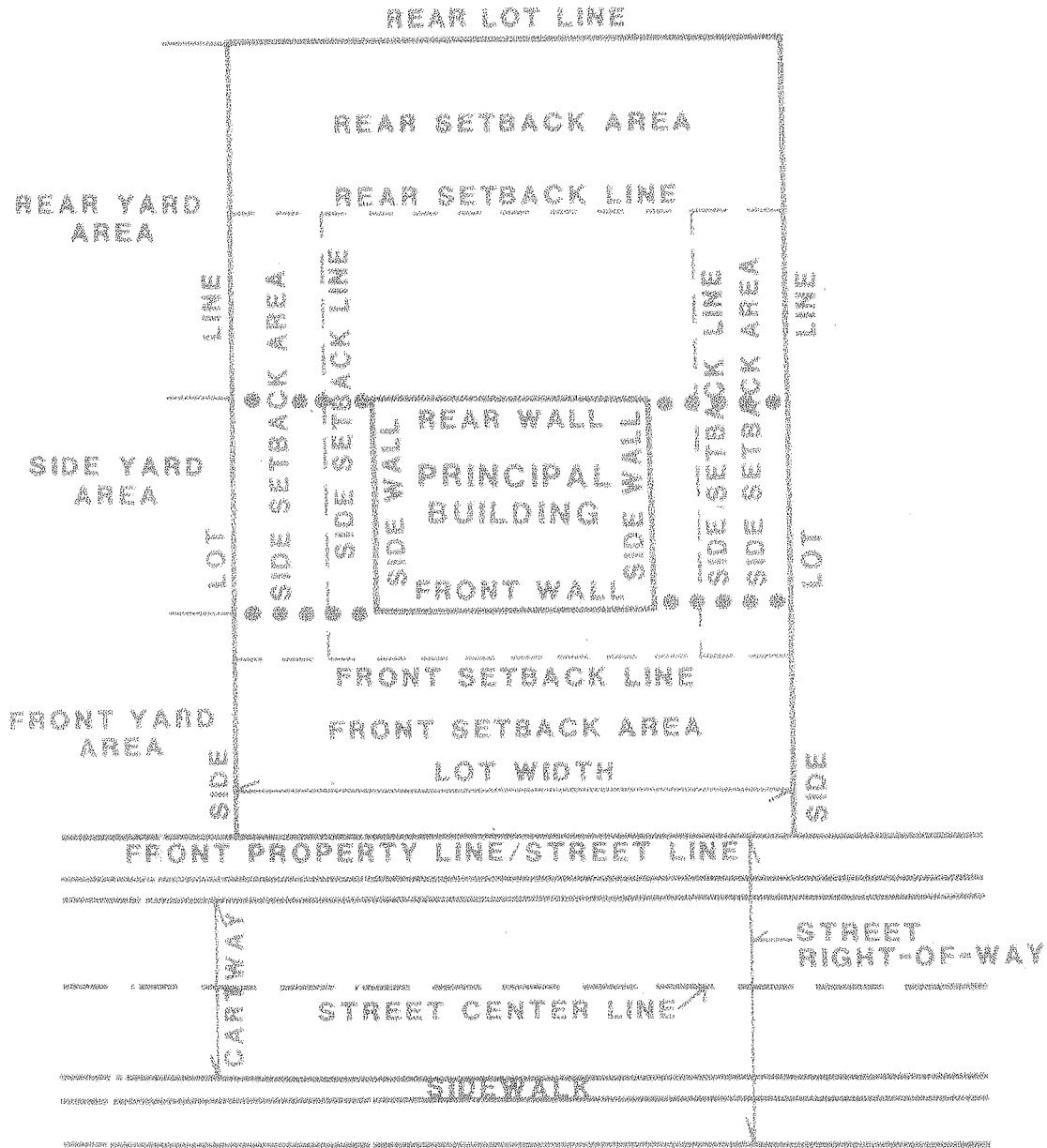


DIAGRAM DICTING SELECTED ZONING TERMS AS APPLICABLE TO INTERIOR LOTS

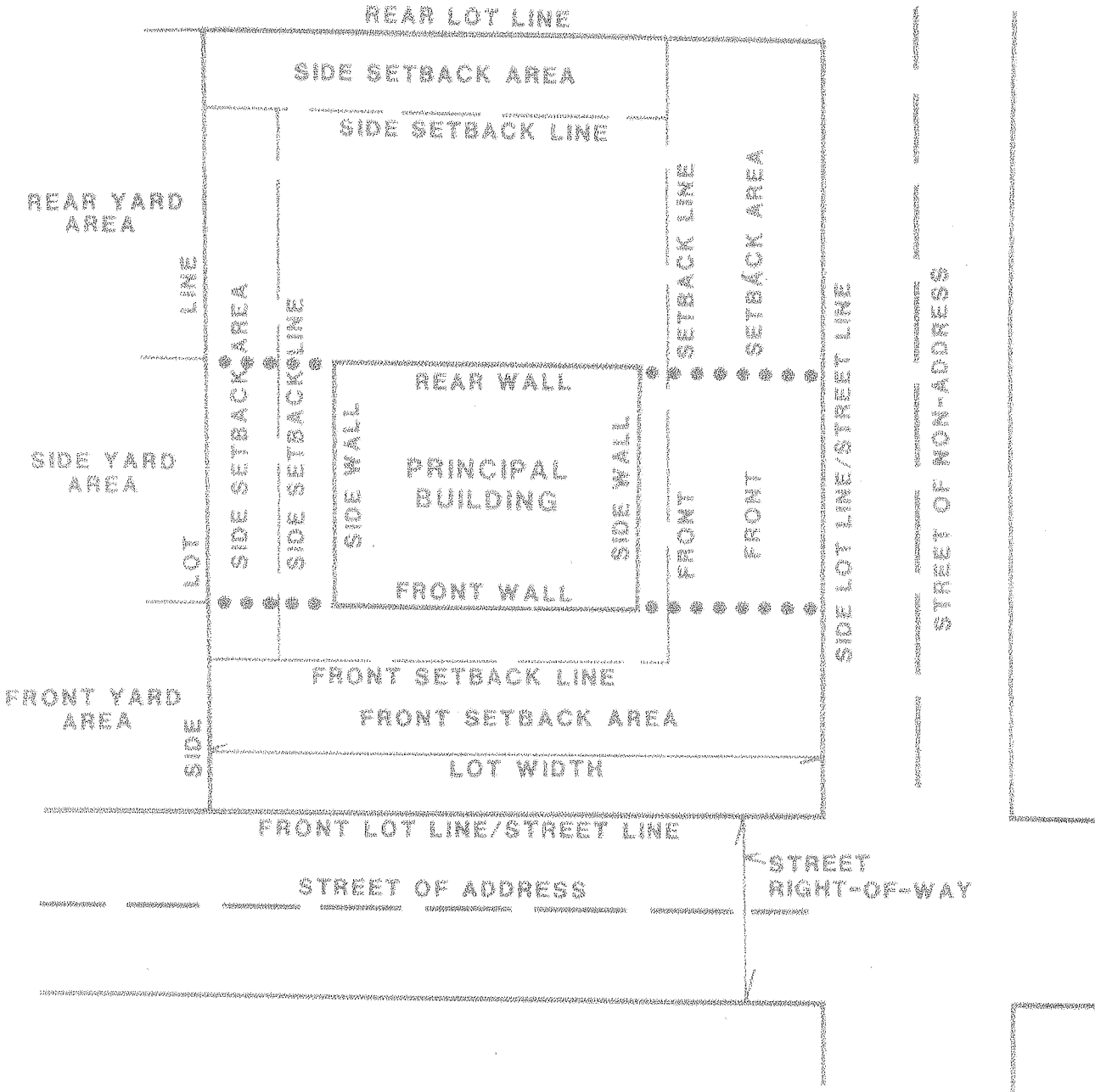


DIAGRAM DEPICTING CERTAIN ZONING TERMS AS APPLICABLE TO CORNER LOTS

