

**WASHINGTON TOWNSHIP  
YORK COUNTY, PENNSYLVANIA**

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**ORDINANCE NO. 2009-01**

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**AN ORDINANCE AMENDING THE WASHINGTON TOWNSHIP ZONING  
ORDINANCE ENACTED ON OCTOBER 17, 1977, AS AMENDED, BY ADDING THE  
DEFINITION OF COMMERCIAL RECREATIONAL FACILITIES AND PROVISIONS  
THEREFOR**

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**BE IT ORDAINED AND ENACTED**, by the Board of Supervisors of Washington Township, York County, Pennsylvania as follows:

**Section 1.** Section 203 of the Zoning Ordinance is revised to delete the term and definition of Commercial Recreational Establishment and replace it with the following term and definition:

**COMMERCIAL RECREATIONAL FACILITIES** - A use of land, including any necessary 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.

**Section 2.** Section 513 shall be added to the Zoning Ordinance and shall read as follows:

**Section 513                      COMMERCIAL RECREATIONAL FACILITIES**

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 principle use or such facilities shall be set back three hundred (300) feet, from any adjoining residential properties or uses.**
- 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, gift, 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 PADEP.
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 3. Repealer:** The passage of this Ordinance amending in part the Washington Township Zoning Ordinance as of October 17, 1977, as amended, shall in no way be deemed to invalidate or repeal any provisions of said Ordinance, except as specifically provided for herein.

**Section 4. Severability.** Should any section of provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decisions shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**Section 5. Effective Date.** This Ordinance shall be effective five (5) days after its enactment by the Board of Supervisors of Washington Township, York County, Pennsylvania.

ORDANINED AND ENACTED this 20 day of July 2009.

Attest:

Diane J. Deardorff  
Secretary

TOWNSHIP OF WASHINGTON  
YORK COUNTY, PENNSYLVANIA

By: [Signature]  
Supervisor

By: [Signature]  
Supervisor

By: [Signature]  
Supervisor