

**WASHINGTON TOWNSHIP  
YORK COUNTY, PENNSYLVANIA**

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**ORDINANCE NO. 2016-02**

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**AN ORDINANCE AMENDING THE WASHINGTON TOWNSHIP ZONING  
ORDINANCE ENACTED ON OCTOBER 17, 1977, AS AMENDED, BY REVISING  
DEFINITIONS AND ADDING SECTIONS FOR TRANSFER OF BUILDING RIGHTS  
AND ECHO HOUSING**

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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 Lot, Parcel, and Tract and replace it with the following terms and definitions:

**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.

**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.

**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.

**Road Frontage Building Right:** A building lot with road frontage that meets the requirements of the zone in which it is located.

**Section 2.** Section 419 shall be added to the Zoning Ordinance and shall read as follows:

**SECTION 419      TRANSFER OF BUILDING RIGHTS**

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 distance 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.

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

**Section 3.** Section 513 shall be added to the Zoning Ordinance and shall read as follows:

**SECTION 513.      ECHO Housing**

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 principle dwelling.
2. The total land coverage for the principal dwelling, any existing accessory structures and the ECHO Housing together shall not exceed the maximum requirement 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 principle dwelling.
  - a. ECHO units, such as mobile homes, recreational vehicles or separate buildings, detached from the principle dwelling are prohibited.
  - b. The ECHO unit's living space must be attached to the principle dwelling by at least one (1) common wall with a connecting interior door, which can be accessed by the principle dwelling. Breeze ways, 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 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 Permit.

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.

**Section 4. Repealer.** The passage of this Ordinance amending in part the Washington Township Zoning Ordinance 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.

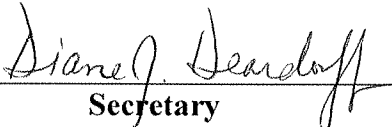
**Section 5. Severability.** Should any section or provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decisions shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**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.

**ORDAINED AND ENACTED** this 19<sup>th</sup> day of September.

**Attest:**

**WASHINGTON TOWNSHIP  
BOARD OF SUPERVISORS**

  
Secretary

By:   
Chairman