

WASHINGTON TOWNSHIP
FRANKLIN COUNTY, PENNSYLVANIA

ORDINANCE NO. 275

OF THE BOARD OF SUPERVISORS OF THIS TOWNSHIP
AMENDING THE ZONING CHAPTER OF THE CODE OF
WASHINGTON TOWNSHIP TO CREATE A HISTORIC DISTRICT

WHEREAS, it is the intent, purpose, and scope of the Municipalities Planning Code to promote the preservation of the Commonwealth's historic resources and to encourage the preservation of historic resources through rezoning (53 P.S. § 10105); and

WHEREAS, under the Municipalities Planning Code, zoning ordinances shall provide for protection of natural and historic features and resources (53 P.S. § 603(g)(2)); and

WHEREAS, there are many sites and buildings in Washington Township that are of historical and cultural significance; and

WHEREAS, the Board of Supervisors of Washington Township deem it to be in the best interests and welfare of the residents of the Township to maintain historically and culturally significant properties and areas in the Township; and

WHEREAS, the current Zoning Ordinance for Washington Township does not specifically account for properties or areas of historical and cultural significance; and

WHEREAS, such properties and areas may be best suited for uses that are not permitted under existing zoning; and

WHEREAS, a variety of uses may be permitted in areas of historic and cultural significance in a manner that protects and fosters their historic and cultural value; and

WHEREAS, the Board of Supervisors deem it to be in the interest and welfare of the residents of the Township to amend the Zoning Chapter of the Code of Washington Township by creating a new zoning district: The Historic District.

NOW, THEREFORE, under the authority of and pursuant to the provisions of Article VI of Act No. 247, as amended, of the General Assembly of the Commonwealth of Pennsylvania, approved July 31, 1968, known as and cited as the "Pennsylvania Municipalities Planning Code"; and any amendments and supplements thereby, and also by the authority of the provisions of the Act of May 1, 1933 (P.L. 103, No. 69), as amended, known as and cited as the "Second Class Township Code," **BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Washington Township, Franklin County, Pennsylvania, as follows:

1. In section 360-5(B) of the Washington Township Code, the definition of "Residential District" is amended to read: "Within the context of this chapter, this definition shall encompass the Forest Conservation District, the Agricultural District, the Low-Density Residential District,

the Medium-Density Residential District, the Medium-Density Mobile Home Residential District, and the Historic District.”

In section 360-5(C) of the Washington Township Code, the definition of “Historic Structure” is removed in its entirety.

2. Section 360-6 of the Washington Township Code is repealed in its entirety and replaced with the following:

“§ 360-6 Districts.

For the purpose of this chapter, the Township of Washington is hereby divided into districts which shall be designated as follows:

F-C	Forest Conservation District
A	Agricultural District
R-1	Low-Density Residential District
R-2	Medium-Density Residential District
R-3	Medium-Density Mobile Home Residential District
C	Commercial District
C-N	Commercial Neighborhood District
CN-R	Commercial Neighborhood (Restricted) District
I	Industrial District
FW, FF, FA	Floodplain Districts (overlay)
	Wellhead Protections Overlay District (overlay)
H	Historic District”

3. The following Article XXIII is added to Chapter 360 of the Washington Township Code as follows:

“Article XXIII H Historic District

§ 360-151 Purpose.

§ 360-152 Permitted uses.

§ 360-153 Conditional uses.

§ 360-154 Prohibited uses.

§ 360-155 Minimum area and density requirements.

§ 360-151 Purpose.

The purpose of a Historic District is to encourage the preservation of natural and historic amenities and to provide standards for historic, cultural, and educational uses of land in a manner that preserves its historic and cultural value, while also permitting limited commercial activities incidental to and furthering those historic and cultural activities without overwhelming their historic and cultural nature. While a property may be deemed historic for a wide variety of reasons, for purposes of interpreting this ordinance a greater emphasis should be placed on features and structures that are at least over fifty years old.

§ 360-152 Permitted uses.

- A. Single-family and two-family detached dwellings in historic residences.
- B. Churches or similar places of worship including parish houses and parsonages.
- C. Gardens, parks, playgrounds, and recreation areas when open to the public.
- D. Historic or educational agriculture and agriculturally related operations. Agriculture or agriculturally related operations include the following:
 - (1) Granaries, sawmills, gristmills, and similar agriculturally related activities.
 - (2) Forest reserves, tree farming and crop farming to include forage, sod, grain, and feed.
 - (3) Vineyards, orchards, and nurseries
 - (4) Animal husbandry; beekeeping; milk processing; livestock production including breeding of dairy and beef cattle, sheep, swine, horses, ponies, mules, goats, poultry, game birds, fowl, fur animals, and associated farm animals, excluding farm operations involving indoor confinement or concentrated animal or animal feed operations (CAO/CAFO).
 - (a) The minimum setback distances from any property line for any structure housing bees, livestock, poultry, or the storage of any waste products from livestock or poultry is 100 feet.
 - (b) Waste products and storage must comply with 3 Pa.C.S. § 501 *et seq.* and all other applicable state law.
 - (5) Commercial production of fruits, vegetables, grains, flowers, plants and similar products
 - (6) The sale of the products produced by the activities in D(1) through (D)(5) in buildings in which the retail area shall not exceed 1,000 square feet in floor area, and set back a minimum of 35 feet from any property line and 50 feet from any street right-of-way, with off-street parking provided.
- E. Museums, science centers, petting zoos, aquariums, libraries, archives, historical sites, art galleries and similar cultural and educational institutions serving the public.

- F. Federal, state, and local municipal buildings and uses, essential services and essential municipal services facility.
- G. Greenhouses when the total buildings are under 50,000 square feet.
- H. Stables, riding academies, and therapeutic horse centers.
- I. Public, private and parochial schools, and day-care centers for the educational needs of the community; provided all outside active play areas are screened from adjacent residential properties.
- J. Forestry activities, including, but not limited to, timber harvesting.
- K. Replicas, reconstructions, or reproductions of any previously existing historic building for another permitted use
- L. Signs when erected and maintained in accordance with the applicable provisions of Article V, Signs, of this chapter.
- M. Accessory buildings and uses on the same lot with and customarily incidental to any of the above permitted uses, including:
- (1) A single family residence housing a permanent, on-site caretaker for the property
 - (2) Home occupations and no impact home based businesses, when properly conducted from a residence
 - (3) Gift shops and concession stands for visitors
 - (4) Offices for administrative personnel connected to other permitted uses and approved conditional uses
 - (5) Workshops for the restoration of historical objects and artifacts related to the historical site
 - (6) The farming, sublease, or tenant farming of land for commercial agriculture or agriculturally related operations, incidental and subordinate to the principal use of the property for historic or educational agriculture and agriculturally related operations

§ 360-153 Conditional uses.

- A. Outdoor recreational facilities and organizations such as playgrounds, fishing and hunting clubs, swimming clubs and golf clubs, tennis courts and similar activities, subject to the following conditions and whatever other conditions the Board of Supervisors deem appropriate:
- (1) That such use shall occupy a lot with an area of not less than five acres.
 - (2) That all lighting which is necessary as incident to such use shall be shielded from adjacent properties.

(3) Along all property lines adjacent to a residential use, a one-hundred-foot-wide landscaped buffer strip shall be provided.

B. Bed-and-breakfast operations.

C. Cemeteries and related uses, provided no graves or structures shall be located within 50 feet of any property line of the cemetery.

D. Spelunking sites and historic and educational mining operations

E. Historic theaters and playhouses

F. Radio and television transmission facilities, electric or telephone substation, natural and propane gas facilities.

G. Neighborhood outdoor recreational facilities and organizations when not operated for gain or profit.

H. Limited small businesses (excluding establishments primarily designed to provide drive-in or drive-through facilities) in historic buildings, subject to the following restrictions, in addition to any conditions imposed by the Supervisors:

(1) The lot on which the small business is located must have been a lot of record on the date of enactment of this amendment and must be a lot of a minimum of one acre.

Existing small businesses in this district are not subject to lot size requirements but must register with the Township office within six months of being rezoned to this district. Failure to register within that time will require application for a conditional use for the small business.

(2) All small businesses shall be secondary to the primary use of the lot and shall be owned and operated by the primary user. No leases or subleases for small businesses shall be permitted.

(3) No more than three employees other than family members are permitted. Appropriate records of employees must be maintained at all times and must be provided to the Washington Township officials upon request.

(4) No offending noise or air pollution may be caused by the small business.

(5) No open burning may be done by any small business.

(6) Sufficient off-street parking, as well as safe entrance and exit of site, shall be provided.

(7) All other local, state and federal regulations must be followed.

(8) Limited small businesses may erect no more than one nonlighted business identification ground sign not to exceed 25 square feet and 10 feet in height and/or wall signs not to exceed 5% of the building facade.

I. Replicas, reconstructions, or reproductions of any previously existing historic building for another conditional use

J. Assembly and event space for gatherings such as weddings, festivals, fundraisers, conferences, and parties, subject to the following restrictions, in addition to any conditions imposed by the Supervisors:

(1) Adequate parking must be available for number of people in attendance. The size of the event cannot exceed the available parking on-site. Additional temporary parking for events may be obtained by written agreement with neighboring landowners, but such agreements must be provided as part of the conditional use application.

(2) Events must be adequately screened from neighboring properties in a way appropriate to the time and circumstances of the event and the nature of the neighboring properties.

K. Communications towers.

§ 360-154 Prohibited uses.

Regardless of whether they would otherwise be a permitted or conditional use, the following activities shall always be prohibited in a Historic District:

- (1) Adult Book Stores
- (2) Adult Drive-In Motion Picture Theaters
- (3) Adult Mini-Motion Picture Theaters
- (4) Adult Motion Picture Theaters
- (5) Massage Shops

§ 360-155 Minimum area and density requirements.

A. All buildings, including accessory buildings, shall not cover more than 30% of the area of the lot.

B. Minimum required for all uses not otherwise listed:

- (1) Lot area: one acre.
- (2) Lot width: 150 feet.
- (3) Lot depth: 180 feet.
- (4) Front yard: 50 feet.
- (5) Each side yard: 30 feet.
- (6) Rear yard: 50 feet.
- (7) Height: 45 feet.
- (8) Parking: two off-street spaces.

C. When on-lot sewer facilities are to be utilized, the minimum lot size may be increased by the Township Sewage Enforcement Officer or the Department of Environmental Protection for factors relating to health and sanitation.”

4. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision, and such portion shall not affect the validity of the remaining portions hereof.

5. This ordinance shall take effect five (5) days after its enactment.

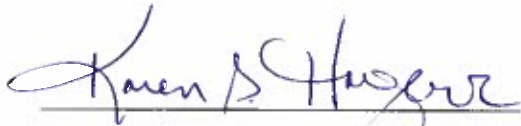
DULY ENACTED AND ORDAINED this 17th day of August 2020, by the Board of Supervisors of Washington Township, Franklin County, Pennsylvania, in lawful session duly assembled.

ATTEST:

BY:

WASHINGTON TOWNSHIP

BOARD OF SUPERVISORS



Karen Hargrave, Township Secretary



Chad Reichard, Chairman

