

WASHINGTON TOWNSHIP ZONING ORDINANCE

ORDINANCE NO. 207

ADOPTED JUNE 6, 1966

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ZONING ORDINANCE NO. 207

WASHINGTON TOWNSHIP, PENNSYLVANIA

AN ORDINANCE regulating the location and the use of *structures* and land for residences, business, industry, and other purposes; regulating the location and height of *structures*, size of yards and other open spaces, automobile parking and the density of population; providing a method of administration by establishing a *Board* of Adjustment and prescribing duties and powers of officials; and prescribing penalties for violations.

BE IT HEREBY ORDAINED by the Township Supervisors of the Township of Washington, County of Fayette, Commonwealth of Pennsylvania:

ARTICLE I - BASIC PROVISIONS

101 TITLE: The official title of this Ordinance is:

"Washington Township Zoning Ordinance."

102 EFFECTIVE DATE: This Ordinance shall take effect June 6
 , 1966.

103 INDICATION OF DEFINED TERMS: The terms defined in Article 7 are indicated throughout the Ordinance for convenience by italicizing, but the omission of this indication from any term shall not affect the application of Article 7 to the meaning of such term.

104 COMPLIANCE: No *structure* shall be located, erected, constructed, reconstructed, moved, converted, or enlarged; nor shall any *structure* or land be used or be designed to be used, except in full compliance with all the provisions of this Ordinance and after the lawful issuance of all permits and certificates required by this Ordinance.

105 SEVERABILITY: If any provision of this Ordinance or the application of any provision to particular circumstances is held invalid, the remainder of the Ordinance or the application of such provision to other circumstances shall not be affected.

ARTICLE 2 - DISTRICT REGULATIONS

201 ZONING MAP: A map entitled "Washington Township Zoning Map" is hereby adopted as part of this Ordinance. The Zoning Map shall be kept on file available for examination at the office of the Township Engineer.

202 ZONING DISTRICTS: The Township is divided into the districts stated in this Ordinance as shown by the district boundaries on the Zoning Map. The districts are:

Agricultural-Residential Districts

- "AR-1" Rural District
- "AR-2" Suburban District
- "AR-3" Urban District

Business Districts

- "B-1" Retail Business
- "B-2" General Business

Industrial District

- "I-1" Light Industrial

Conservation District

- "C-1" Conservation

203 DISTRICT BOUNDARIES: District boundaries shown within the lines of roads, streams, and transportation rights of way shall be deemed to follow the centerlines. The vacation of roads shall not affect the location of such district boundaries. When the Zoning Officer cannot definitely determine the location of a district boundary by such centerlines, by the scale or dimensions stated on the Zoning Map, or by the fact that it clearly coincides with a property line, he shall refuse action, and the Board of Adjustment, upon appeal, shall interpret the location of the district boundary with reference to the scale of the Zoning Map and the purposes set forth in all relevant provisions of this Ordinance.

204 AGRICULTURAL-RESIDENTIAL DISTRICTS: Districts designated for residential and agricultural use, "AR-1", "AR-2", "AR-3", are limited to agricultural uses, *dwelling*s, and the uses normally associated with residential neighborhoods. Such uses include schools, churches, and parks. However, under the provisions of Section 305, planned unit residential projects are permitted which may include limited business facilities integrated into the neighborhood design. The specific purpose of each of the districts is as follows:

204.1 "AR-1", the Rural District, is designated for land which is remote from existing municipal facilities or so situated in a drainage basin where municipal utilities would be excessive in cost and difficult to maintain. Residential and associated uses are permitted in this district only on large lots capable of handling the individual family's water and sewage disposal needs.

204.2 "AR-2", the Suburban District, is designated for land where central water and sewer facilities are available or where the installation of these facilities is feasible. The density of families per acre and the character of the development should provide the pattern for most of the residential development occurring in Washington Township.

204.3 "AR-3", the Urban District, is designated for land that is presently developed in urban type lots. The purpose of this district is to permit the continuation and limited expansion of certain heavily populated sections of the Township.

205 BUSINESS DISTRICTS: Districts designated for business, "B-1" and "B-2", are limited to business and certain residential uses. By establishing compact districts for such uses, better fire protection, police protection, and utilities may be provided. Most industrial uses are excluded in order to reduce the hazards caused by extensive truck and rail movements normally associated with such uses. However, research industrial uses and certain light industrial uses are permitted if they are of such a nature that they do not cause any hazards and if they meet the specific requirements set forth in this Ordinance. Specifically, the purpose of each of the two business districts is as follows:

205.1 "B-1", the Retail Business District, permits shopping centers, where appropriate, throughout the Township. The purpose of this district is to encourage the development of retail uses in unified shopping centers.

205.2 "B-2", the General Business District, permits business development other than retail establishments normally occurring in a shopping center. The purpose of this district is to provide space for automobile-oriented businesses and services, wholesale businesses, and other business activities.

206 INDUSTRIAL DISTRICT: The district designated for industry, "I-1" provides suitable space for future industrial development. Performance standards, parking specifications, and yard regulations are set forth in the Ordinance in order to insure safe industrial development that is compatible with adjacent uses. The specific purpose of the industrial district is as follows:

206.1 "I-1", the Light Industrial District, provides space for industries which do not cause conditions that would be objectionable to residential districts.

207 CONSERVATION DISTRICT: The district designated for Conservation, "C-1", is limited to *agriculture* and certain other open land uses. Residential and related uses are permitted if approved by the *Board of Adjustment*. The purpose of this district is to prevent intensive development of land that is unsuitable for development because of steepness of slope or periodic flooding.

208 PERMITTED USES: The permitted uses and special exceptions for each district are shown on the following table. Uses given in the following categories shall be according to the common meaning of the term or according to definitions given in Article 7. Uses not specifically listed or defined to be included in the categories under this Article shall not be permitted.

PERMITTED USES

SPECIAL EXCEPTIONS (SECTION 504)

AR-1 RURAL DISTRICT

- | | |
|--|--|
| 1. <i>Agriculture</i> | 1. Cemeteries |
| 2. <i>Single-Family Dwellings</i> | 2. <i>Home Occupations</i> |
| 3. <i>Public and Parochial Schools</i> | 3. Non-Profit Recreational Uses |
| 4. <i>Parks and Playgrounds</i> | 4. Nursery Schools |
| 5. <i>Churches</i> | 5. Hospitals and <i>Clinics</i> for Humans |
| 6. <i>Essential Services</i> | 6. Public Utility Buildings |
| 7. <i>Accessory Uses</i> | 7. Fire Stations |
| | 8. Water Recreation and Water Storage |
| | 9. Municipal Buildings and Libraries |
| | 10. Strip Mining |
| | 11. Mine Ventilating Shafts |
| | 12. Planned Unit Residential Projects |
| | 13. Greenhouses |
| | 14. <i>Animal Clinics</i> |

AR-2 SUBURBAN DISTRICT

- | | |
|--|--|
| 1. <i>Agriculture</i> | 1. Cemeteries |
| 2. <i>Single-Family Dwellings</i> | 2. <i>Home Occupations</i> |
| 3. <i>Public and Parochial Schools</i> | 3. Non-Profit Recreational Uses |
| 4. <i>Parks and Playgrounds</i> | 4. Nursery Schools |
| 5. <i>Churches</i> | 5. Hospitals and <i>Clinics</i> for Humans |
| 6. <i>Essential Services</i> | 6. Public Utility Buildings |
| 7. <i>Accessory Uses</i> | 7. Fire Stations |
| | 8. Water Recreation and Water Storage |
| | 9. Municipal Buildings and Libraries |
| | 10. Strip Mining |
| | 11. Mine Ventilating Shafts |
| | 12. Planned Unit Residential Projects |
| | 13. Greenhouses |

PERMITTED USES

SPECIAL EXCPTIONS (SECTION 504)

AR-3 URBAN DISTRICT

- | | |
|-----------------------------------|--|
| 1. <i>Agriculture</i> | 1. Cemeteries |
| 2. <i>Single-Family Dwellings</i> | 2. <i>Home Occupations</i> |
| 3. <i>Two-Family Dwellings</i> | 3. Nursery Schools |
| 4. Public and Parochial Schools | 4. Non-Profit Recreational Uses |
| 5. Churches | 5. Hospitals and <i>Clinics</i> for Humans |
| 6. Parks and Playgrounds | 6. Public Utility Buildings |
| 7. <i>Essential Services</i> | 7. Fire Stations |
| 8. <i>Accessory Uses</i> | 8. Water Recreation and Water Storage |
| | 9. Municipal Buildings and Libraries |
| | 10. Planned Unit Residential Projects |
| | 11. Multiple-Family <i>Dwellings</i> |
| | 12. Sewage Treatment Plants |

B-1 RETAIL BUSINESS DISTRICT

- | | |
|---------------------------------------|--|
| 1. <i>Agriculture</i> | 1. Water Recreation and Water Storage |
| 2. Eating and Drinking Establishments | 2. Fire Stations |
| 3. Offices | 3. Automobile Service Stations |
| 4. Personal and Professional Services | 4. Planned Unit Business Projects, other than shopping centers |
| 5. Municipal Buildings | 5. Sewage Treatment Plants |
| 6. Retail Businesses | |
| 7. Churches | |
| 8. Parks and Playgrounds | |
| 9. <i>Essential Services</i> | |
| 10. <i>Accessory Uses</i> | |

B-2 GENERAL BUSINESS DISTRICT

- | | |
|--|---------------------------------------|
| 1. <i>Agriculture</i> | 1. Water Recreation and Water Storage |
| 2. Retail Businesses | 2. Research Laboratories |
| 3. Eating and Drinking Establishments | 3. Trailer Parks |
| 4. Offices | 4. Planned Unit Business Projects |
| 5. Personal & Professional Services | 5. Sewage Treatment Plants |
| 6. Fire Stations and Municipal Buildings | |
| 7. Auto Sales, Service and Repair | |
| 8. Wholesale Business | |
| 9. <i>Supply Yards</i> | |
| 10. Motels | |
| 11. Commercial Schools | |
| 12. Commercial Recreation | |
| 13. Animal <i>Clinics</i> | |
| 14. Home and Trailer Sales & Display | |
| 15. Churches | |
| 16. Parks and Playgrounds | |
| 17. <i>Essential Services</i> | |
| 18. <i>Accessory Uses</i> | |

I-1 LIGHT INDUSTRIAL DISTRICT

- | | |
|--------------------------------------|---------------------------------------|
| 1. Agriculture | 1. Manufacturing |
| 2. Research and Testing Laboratories | 2. Water Recreation and Water Storage |
| 3. Offices | 3. Supply Yards |
| 4. Warehousing | 4. Planned Unit Industrial Projects |
| 5. Truck Terminals | 5. Sewage Treatment Plants |
| 6. Light Manufacturing | |
| 7. Essential Services | |
| 8. Accessory Uses | |

C-1 CONSERVATION DISTRICT

- | | |
|---------------------------------|---------------------------------------|
| 1. Agriculture | 1. Single-Family Dwellings |
| 2. Public Parks and Playgrounds | 2. Home Occupations |
| 3. Cemeteries | 3. Water Recreation and Water Storage |
| 4. Essential Services | 4. Accessory Uses |
| | 5. Churches |
| | 6. Non-Commercial Recreation Uses |
| | 7. Sewage Treatment Plants |

209 LOT AND YARD REQUIREMENTS: The *minimum lot area*, *minimum lot area/family*, *minimum width of lot*, *minimum depth of front yard*, and *minimum width of each side yard* for each district shall be as shown on the following tables:

LOT AND YARD REQUIREMENTS TABLE I

	<u>AR-1</u>	<u>AR-2</u>	<u>AR-3</u>	<u>B-1</u>
<u>Minimum Lot Area (sq.ft.)</u>				
off-lot sewer and water	15,000	12,000	7,200	5,000
off-lot sewer <u>or</u> water	20,000	15,000	7,200	20,000
on-lot sewer and water	40,000	20,000	20,000	40,000
<u>Minimum Lot Area/Family (sq.ft.)</u>				
off-lot sewer and water	15,000	12,000	6,000	-
off-lot sewer <u>or</u> water	20,000	15,000	5,000	-
on-lot sewer and water	40,000	20,000	10,000	-
<u>Minimum Lot Width (feet)</u>				
off-lot sewer and water	90	75	60	50
off-lot sewer <u>or</u> water	100	75	75	100
on-lot sewer and water	125	90	90	150
<u>Minimum Depth Front Yard (feet)</u>	35	30	30	20
<u>Minimum Width Side Yard (feet)</u>	15	10	6	10

LOT AND YARD REQUIREMENTS TABLE I (CON'T.)

	<u>B-2</u>	<u>I-1</u>	<u>C-1</u>
<u>Minimum Lot Area (sq. ft.)</u>			
off-lot sewer and water	10,000	40,000	80,000
off-lot sewer <u>or</u> water	20,000	80,000	80,000
on-lot sewer and water	40,000	80,000	80,000
<u>Minimum Lot Area/Family (sq.ft.)</u>			
off-lot sewer and water	-	-	80,000
off-lot sewer <u>or</u> water	-	-	80,000
on-lot sewer and water	-	-	80,000
<u>Minimum Lot Width (feet)</u>			
off-lot sewer and water	75	150	200
off-lot sewer <u>or</u> water	100	200	200
on-lot sewer and water	150	200	200
<u>Minimum Depth Front Yard (feet)</u>	25	40	20
<u>Minimum Width Side Yard (feet)</u>	10	25	25

209.1 Lots which abut on more than one street shall provide the required front yards along every street.

209.2 All structures, whether attached to the principal structure or not, and whether open or enclosed, including porches, carports, balconies, or platforms above normal grade level, shall not project into any minimum front, side, or rear yard.

209.3 Any lot of record existing at the effective date of this Ordinance and then held in separate ownership different from the ownership of adjoining lots may be used for the erection of a structure conforming to the use regulations of the district in which it is located, even though its area and width are less than the minimum requirements of this Ordinance.

209.4 On any lot of record having a width of less than fifty feet (50 ft.), the minimum width of the side yard may be reduced to ten per cent (10%) of the average lot width, but may not be reduced below four feet (4 ft.).

209.5 Non-residential structures or uses shall not be located or conducted closer to any lot line of any other lot in any "AR" District than the distance specified in the following schedule:

Minimum Side or Rear
Yard Abutting any Lot
in any "AR" District

Use

20 feet	Offstreet parking spaces and access drives for non-residential uses
40 feet	Churches, schools and public or semi-public structures
70 feet	Recreation facilities, entertainment facilities, motels, trailer parks and all business uses and industrial uses.

210 HEIGHT REGULATIONS: No *structure* shall exceed 45 feet in height above average ground level unless approved by the *Board* of Adjustment. The *Board* may authorize a variance to the height regulations in any district if:

210.1 All front, side, and rear yard depths are increased one foot for each additional foot of height; or

210.2 The *structure* is any of the following and does not constitute a hazard to an established airport: television and radio towers, church spires, belfries, monuments, tanks, water and fire towers, stage towers and scenery lofts, silos, cooling towers, ornamental towers and spires, chimneys, elevator bulkheads, smokestacks, conveyors, and flagpoles.

ARTICLE 3 - GENERAL REGULATIONS

301 NON-CONFORMING USES: The following provisions shall apply to all *non-conforming uses*:

301.1 A *non-conforming use* may be continued but may not be extended, expanded, or changed unless to a conforming use, except as permitted by the *Board of Adjustment* in accordance with the provisions of this Ordinance.

301.2 Any *non-conforming structure* damaged by fire, flood, explosion, or other casualty may be reconstructed and used as before if such reconstruction is performed within 12 months of such casualty, and if the restored *structure* has no greater coverage and contains no greater cubic content than before such casualty.

301.3 In the event that any *non-conforming use*, conducted in a *structure* or otherwise, ceases, for whatever reason, for a period of one year, or is abandoned for any period, such *non-conforming use* shall not be resumed.

302 WATER RECREATION AND WATER STORAGE FACILITIES: Any facility for water recreation such as private swimming pools, swimming clubs, and commercial fishing ponds, or any other water storage facility such as reservoirs, fish hatcheries, sewage lagoons, and farm ponds shall comply with the following requirements:

302.1 The facility shall conform with the setback requirements.

302.2 The facility shall be enclosed by a fence no less than four feet high to prevent uncontrolled access by small children, if prescribed by the *Board of Adjustment* for safety reasons.

302.3 The facility, if operated to attract visitors, shall comply with parking requirements established under Section 303 of this Ordinance.

302.4 Before a Zoning Certificate shall be issued to the operator or owner of the facility, a plan shall be submitted to the *Board of Adjustment* showing size of facility, proposed use, parking arrangement and use of buildings on the site, surrounding properties and their usage, and any other pertinent information.

303 OFF-STREET PARKING: Off-street parking spaces shall be provided in accordance with the specifications in this section in any district whenever any new use is established or existing use is enlarged.

UsePARKING SPACES REQUIRED

Residential	2 per <i>dwelling</i> unit
Church and School	1 per 6 seats in principal assembly room
Private <i>Club</i> or Lodge	1 per 4 members
Theater	1 per 4 seats
Hospitals and Rest Homes	1 per 3 beds and 1 for each 2 employees on the maximum working shift
Professional offices, <i>business services</i> , wholesale houses, and medical <i>clinics</i>	1 for every 250 sq. ft. of floor space
Retail businesses, eating and drinking places, and personal service establishments	1 for each 100 sq. ft. of floor space
Bowling Alleys	5 for each alley
Funeral Homes	1 for each 100 sq.ft. of floor space
Recreational assembly places; e.g. dance halls, night clubs	1 for each 75 sq.ft. of floor space
Industrial	2 for each 3 employees on the maximum working shift

304 MOBILE HOMES: *Mobile homes*, whether the wheels are attached or not, shall be permitted only in trailer parks which meet the requirements of this Section. Occupied *travel trailers* as defined by this Ordinance shall meet all of the requirements specified for *mobile homes*.

304.1 No trailer park shall have an *area* of less than five acres.

304.2 Each trailer site within the trailer park shall have an *area* of 3,000 square feet.

304.3 No trailer shall be closer than 35 feet to any adjacent property.

304.4 Not less than ten per cent (10%) of the gross *area* of the trailer park shall be improved for recreational activities for the residents of the park.

304.5 The trailer park shall be appropriately landscaped and screened from adjacent properties.

304.6 The trailer park shall meet all applicable requirements of the Township Subdivision Regulations.

305 PLANNED UNIT RESIDENTIAL, BUSINESS AND INDUSTRIAL PROJECTS:

Planned unit residential, business and industrial projects may be permitted if the planned unit project meets the requirements of this section. After the unit plan is approved, all development, construction, and use shall be in accordance with that plan unless a new planned unit project plan is submitted to and approved by the *Board* of Adjustment as required by this Ordinance. Any development contrary to the approved unit plan shall constitute a violation of this Ordinance.

305.1 The *area* of the land to be developed shall not be less than five acres.

305.2 Properties adjacent to the unit plan shall not be adversely affected.

305.3 The average density of *dwelling* units per acre shall not be higher than that permitted in the district in which the plan is located.

305.4 The use of the land shall not differ substantially from the uses permitted in the district in which the plan is located, except that limited business facilities, intended to serve only the residents of the planned unit project, and fully integrated into the design of the project, may be considered in residential districts; and multiple-family *dwelling*s may be considered in the Ar-2, AR-3, and B-1 Districts.

305.5 The unit plan shall be consistent with the purpose of this Ordinance.

305.6 The unit plan shall be reviewed, and recommendations made, by the Township Planning Commission and the Township Supervisors to determine if the proposed project is consistent with the Township Comprehensive Plan and in the best welfare of the Township.

306 TEMPORARY STRUCTURES: Temporary *structures* used in conjunction with construction work shall be permitted only during the period that the construction work is in progress. Permits for temporary *structures* shall be issued for a six-month period. Residing in *basement* or foundation *structures* before the completion of the total *structure* shall not be permitted.

307 SIGNS: No sign, billboard, or exterior graphic display shall be permitted in any district except as herein provided.

307.1 In any district a sign not exceeding one square foot in surface size is permitted which announces the name, address, or professional activity of the occupant of the premises on which said sign is located.

307.2 A bulletin board not exceeding twenty-four (24) square feet is permitted in connection with any church, school or similar public *structure*.

307.3 A temporary real estate or construction sign, not exceeding twenty-four (24) square feet is permitted on the property being sold, leased or developed. Such sign shall be removed promptly when it has fulfilled its function.

307.4 Business signs shall be permitted in connection with any legal business or industry when located on the same premises, and if they meet the following requirements:

307.4(a) Signs shall not contain information or advertising for any product not sold on the premises.

307.4(b) Signs shall not have a combined aggregate surface size greater than five (5) square feet for each foot of width of the principal *structure* on the premises.

307.4(c) Signs shall not project over public rights of way.

307.4(d) Signs and *structures* shall not be illuminated in any manner which causes undue distraction, confusion or hazard to vehicular traffic.

308 HOME OCCUPATIONS: Any *home occupation* such as art studios, dressmaking, teaching, or the professional office of a physician, dentist, lawyer, engineer, architect or accountant, shall be permitted as an *accessory use* if it complies with the requirements of this section.

308.1 The *home occupation* shall be carried on by a member of the *family* residing in the *dwelling* unit with not more than one employee who is not part of the *family*.

308.2 The *home occupation* shall be carried on wholly within the principal or accessory *structures*.

308.3 Exterior displays or signs other than those permitted under Section 307, exterior storage of materials, and exterior indication of the *home occupation* or variation from the residential character of the principal *structure* shall not be permitted.

308.4 Objectionable noise, vibration, smoke, dust, electrical disturbance, odors, heat, or glare shall not be produced.

308.5 Articles not produced on the premises shall not be sold on the premises.

311.3(c) Parking spaces are provided off the road right of way;

311.3(d) signs shall conform to provisions set forth in paragraph 307.4.

309 MINE VENTILATING SHAFTS: Every ventilating shaft, including all *structures* intended to supply air or power to underground coal mines shall be constructed and landscaped in a manner appropriate to the district in which it is located. Mechanical baffles supplemented by topography and/or landscaping shall be utilized to protect the adjacent properties from the noise of exhaust fans.

310 STRIP MINING: Strip mining shall comply with the following requirements:

310.1 Operations shall not be conducted closer than two hundred (200) feet to the adjacent property.

310.2 A location map which shows land to be mined and the location of adjacent properties, roads, and natural features shall be filed with the *Board* of Adjustment.

310.3 A plan for the restoration of the land to be mined, including anticipated future use of the restored land, the proposed final topography indicated by contour lines of no greater interval than five (5) feet, steps which will be taken to conserve the topsoil, and the location of future roads, drainage courses, or other improvements contemplated shall be submitted to the *Board* of Adjustment for approval.

310.4 Written proof that all registration and bonding requirements of the State Bureau of Mines have been met shall be filed with the Township Supervisors. When all requirements contained in the restoration plan are performed, a written certificate shall be issued by the Zoning Officer that the restoration is complete and is in compliance with the plan. A copy of this certification will be forwarded to the State Bureau of Mines.

311 AGRICULTURE: Agricultural uses shall comply with the following requirements:

311.1 Farm buildings, other than a *dwelling*, shall not be erected within three hundred (300) feet of a neighboring property.

311.2 Feed lots, fenced runs, pens, and similar intensively used facilities for animal raising and care shall not be located within three hundred (300) feet of a neighboring property.

311.3 Roadside stands for sale of agricultural products shall be permitted if:

311.3(a) They are erected at least fifty (50) feet back from nearest edge of roadway surface;

311.3(b) They are used exclusively for the sale of agricultural products grown locally;

ARTICLE 4 - ADMINISTRATION AND ENFORCEMENT

401 ZONING OFFICER: The Zoning Officer who shall be appointed by the Township Supervisors shall:

401.1 Administer and enforce the provisions of this Ordinance;

401.2 issue Zoning Certificates and Building Permits;

401.3 maintain a permanent file of all Zoning Certificates and applications as public records.

402 ZONING CERTIFICATES

402.1 A Zoning Certificate shall be obtained before any person may:

402.1(a) Occupy or use any vacant land except for the purpose of *agriculture*; or

402.1(b) occupy or use any *structure* hereafter constructed, reconstructed, moved or enlarged; or

402.1(c) change the use of a *structure* or land to a different use; or

402.1(d) change a *non-conforming* use.

402.2 Applications for a Zoning Certificate shall be accompanied by a plot plan showing clearly and completely the location, dimensions and nature of any *structure* involved and such other information as the Zoning Officer may require for administration of this Ordinance, together with a filing fee of One Dollar (\$1.00).

403 VIOLATIONS AND PENALTIES: Any person who violates any provision of this Ordinance shall, upon conviction thereof, before any Justice of the Peace, be subject to a fine not more than Three Hundred Dollars (\$300) and costs for each offense, and upon failure to pay such fine and costs, by imprisonment in the Township Jail for a period not exceeding thirty (30) days. Each day that any person shall continue to violate any of the requirements of this Ordinance shall be considered a separate offense.

404 METHOD OF APPEAL: Any person or Township official aggrieved or affected by any provision of this Ordinance or by any decision of the Zoning Officer may appeal to the *Board* of Adjustment within a reasonable time, as provided by rules of the *Board*, by filing a notice of appeal specifying the grounds thereof.

ARTICLE 5 - BOARD OF ADJUSTMENT

501 GENERAL: In accordance with law, the Township Supervisors shall appoint and organize a *Board* of Adjustment, which *Board* may adopt rules to govern its procedure. The *Board* shall hold meetings, keep minutes and, pursuant to notice, shall conduct hearings, compel the attendance of witnesses, take testimony under oath, and render decisions in writing within forty-five (45) days after hearing or continued hearing, all as required by law. A fee of Twenty-Five Dollars (\$25) shall be charged for any appeal or proceeding filed with the *Board*.

502 APPEALS: The *Board* shall have the power to hear and decide appeals from any order, requirement, decision, grant or refusal made by the Zoning Officer in the administration of this Ordinance.

503 VARIANCES: The *Board*, upon appeal, shall have the power to authorize variances from the requirements of this Ordinance, and to attach such conditions to the variance as it deems necessary to assure compliance with the purpose of this Ordinance. A variance may be permitted if all the following requirements are met:

503.1 Literal enforcement of the Ordinance would result in an unnecessary hardship with respect to the property

503.2 Such unnecessary hardship results because of unique characteristics of the property

503.3 The variance observes the spirit of this Ordinance, produces substantial justice, and is not contrary to the public interest.

504 SPECIAL EXCEPTIONS: The *Board* shall have the power to authorize special exceptions if the following requirements are met:

504.1 The special exception shall be in accordance with the standards specified for such class of special exceptions in Article 3.

504.2 The special exception shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons, and shall comply with the performance standards of Section 505.

504.3 The special exception shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.

504.4 The special exception shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.

504.5 The special exception shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.

504.6 The special exception shall preserve the purpose of this Ordinance.

505 PERFORMANCE STANDARDS: All special exceptions shall comply with the requirements of this section. In order to determine whether a proposed use will conform to the requirements of this Ordinance, the *Board* may also obtain a qualified consultant to testify, whose cost for services shall be borne by the applicant.

505.1 Fire Protection: Fire prevention and fighting equipment acceptable to the Board of Fire Underwriters shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.

505.2 Electrical Disturbance: No activity shall cause continuous or repetitive electrical disturbance adversely affecting the operation of other electrical equipment in the vicinity.

505.3 Noise: Noise which is determined to be objectionable because of volume, frequency, or beat shall be muffled or otherwise controlled, except fire sirens and related apparatus used solely for public purposes shall be exempt from this requirement.

505.4 Smoke: The maximum amount of smoke emission permissible shall be determined by use of the standard Ringleman Chart issued by the U. S. Bureau of Mines. No smoke of a shade darker than No. 2 will be allowed. Exception to this may occur when starting fires or there is a temporary breakdown of equipment.

505.5 Vibrations: Vibrations detectable without instruments on neighboring property in any district except the Heavy Industrial (I-3) District shall be prohibited. Vibrations detectable without instruments on neighboring properties in the Heavy Industrial (I-3) District shall be permitted provided such vibrations do not endanger, or in any way damage, persons or properties on neighboring *lots*.

505.6 Odors: In any district, no malodorous gas or matter shall be permitted which is so objectionable as to damage property interests on any neighboring *lot*.

505.7 Air Pollution: No pollution of air by flyash, dust, vapors, or other substance shall be permitted which is harmful to health, animals, vegetation or other property.

505.8 Glare: Lighting devices which produce objectionable direct or reflected glare on adjoining properties or thoroughfares shall not be permitted.

505.9 Erosion: No erosion by wind or water shall be permitted which will carry objectionable substances onto neighboring properties.

505.10 Water Pollution: Water pollution shall be subject to the standards established by the State Sanitary Water Board.

506 NON-CONFORMING USES: The Board shall have the power to authorize changes of lawful *non-conforming uses* as follows:

506.1 A *non-conforming use* which occupies a portion of a *structure* or premises may be extended within such *structure* or premises as they existed when the prohibitory provision took effect, but not in violation of the area and yard requirements of the district in which such *structures* or premises are located. No change of a *non-conforming use* shall entail structural alterations or any additions other than those required by law for the purpose of safety and health.

506.2 The Board may impose such conditions as it deems necessary for the protection of adjacent property and the public interest.

ARTICLE 6 - AMENDMENTS

601 GENERAL: The Township Supervisors may introduce and consider amendments to this Ordinance and to the Zoning Map as proposed by a Supervisor, by the Planning Commission or by a petition of a person residing or owning property within the Township.

602 PETITIONS: Petitions for amendment shall be filed with the Planning Commission, and the petitioner, upon such filing, shall pay an advertising deposit and a filing fee of \$ 25.00 . The Planning Commission shall review the proposed amendment and report its findings and recommendations in writing to the Township Supervisors and to the petitioner. The proposed amendment shall be introduced before the Township Supervisors only if a Supervisor elects to do so. If an amendment proposed by petition is not introduced, the advertising deposit shall be refunded to the petitioner; otherwise, such deposit shall be paid to the Township.

603 REFERRAL: Any proposed amendment introduced by a Supervisor without written findings and recommendations from the Planning Commission shall be referred to the Planning Commission for review by it prior to public hearing by the Township. The Planning Commission shall report its findings and recommendations in writing to the Township Supervisors within such reasonable time prior to the public hearing as the Township Supervisors may specify in the referring action.

604 ACTION: Before acting upon a proposed amendment, the Township Supervisors shall hold a public hearing thereon. Notice of such public hearing, containing a brief summary of the proposed amendment and a reference to the place where copies of the same may be examined, shall be published in a general newspaper and in the legal newspaper of the County, once a week for two weeks prior to the date of hearing.

ARTICLE 7 - DEFINITIONS

701 GENERAL: Certain words used in this Ordinance are defined below. Words used in the present tense shall include the future; the singular number shall include the plural, and the plural the singular; and the word "shall" is mandatory and not permissive.

701.1 Accessory Use: A use customarily incidental and subordinate to the principal use and located on the same lot as the principal use.

701.2 Agriculture: Agriculture shall mean cultivating the soil, producing crops, and raising livestock.

701.3 Area: Area of a lot or site shall be calculated from dimensions derived by horizontal projection of the site.

701.4 Basement: A story having more than 50 per cent of its clear height below finished grade.

701.5 Board: The Board of Adjustment established by this Ordinance.

701.6 Business Service: Any business activity which renders service to other commercial or industrial enterprises.

701.7 Clinic: Any establishment where human patients or animals are examined and treated by doctors, dentists, or veterinarians but not hospitalized overnight.

701.8 Club: An establishment operated for social, recreational, or educational purposes but open only to members and not the general public.

701.9 Coverage: That percentage of the lot area covered by principal and accessory use structures.

701.10 Dwelling: Any structure designed or used as the living quarters for one or more families.

701.11 Essential Services: The erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies of underground or overhead gas, electrical, steam or water transmission or distribution systems, including poles, wires, mains, drains, sewers, pipes, conduit cables, fire alarm boxes, police call boxes, traffic signals, hydrants, street signs, and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare.

701.12 Family: One or more persons occupying a premise and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, club, fraternity, or hotel.

701.13 Home Occupation: An occupation carried on in a dwelling unit which is clearly incidental and secondary to the use of the building for dwelling purposes, and which does not change the character thereof.

701.14 Light Manufacturing: The processing and fabrication of certain materials and products where no process involved will produce noise, vibration, air pollution, fire hazard, or noxious emission which will disturb or endanger neighboring properties. Light manufacturing includes the production of the following goods: home appliances; electrical instruments; office machines; precision instruments; electronic devices; timepieces; jewelry; optical goods; musical instruments; novelties; wood products; printed material; lithographic plates; type composition; machine tools; dies and gages; ceramics; apparel; lightweight non-ferrous metal castings; film processing; light sheet metal products; plastic goods; pharmaceutical goods; and food products, but not animal slaughtering, curing, nor rendering of fats.

701.15 Lot: A parcel of land occupied or capable of being occupied by one or more structures.

701.16 Lot of Record: Any lot which individually or as a part of a subdivision, has been recorded in the office of Recorder of Deeds of the County.

701.17 Lot, Depth of: A mean horizontal distance between the front and rear lot lines.

701.18 Lot, Minimum Area of: The horizontally projected area of a lot computed exclusive of any portion of the right of way of any public thoroughfare.

701.19 Lot, Width of: The mean width measured at right angles to its depth.

701.20 Manufacturing: The processing and fabrication of any article, substance or commodity.

701.21 Mobile Home: Any mobile vehicle used or designed to be used for living purposes, whether the wheels be attached or not. A travel trailer, as defined herein, shall be considered a mobile home if occupied.

701.22 Non-Conforming Structure: A structure designed, converted, or adapted for a use prior to the adoption of provisions prohibiting such use in such location.

701.23 Non-Conforming Use: Non-conforming use is any use or arrangement of land or structures legally existing at the time of enactment of this Ordinance or any of its amendments, which does not conform to the provisions of this Ordinance.

701.24 Structure: Anything constructed or erected, the use of which requires a fixed location on the ground or an attachment to something having a fixed location on the ground, including, in addition to buildings, billboards, carports, porches, and other building features but not including sidewalks, drives, fences, and patios.

701.25 Supply Yards: A commercial establishment storing or offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods. Supply yards do not include the wrecking, salvaging, dismantling or storage of automobiles and similar vehicles.

701.26 Travel Trailer: A mobile vehicle, with wheels, designed for overnight living or camping purposes, capable of being towed by a passenger automobile and having an overall length less than twenty-five (25) feet and an overall width less than eight (8) feet. A travel trailer may be considered an accessory to a residential use when stored, but not occupied, on the premises.

THIS ORDINANCE ORDAINED AND ENACTED by the Supervisors
of the Township of Washington, County of Fayette, State of
Pennsylvania on this 6th day of June, 1966.

Board of Supervisors of
Washington Township, Fayette
County, Pennsylvania

By David Summers

Chairman

Attest: John Gills
Secretary

BELLE VERNON

906

FAYETTE
WESTMORELAND CO

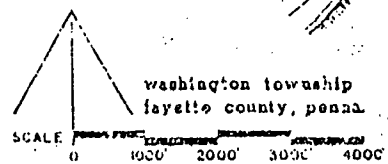
MONONGAHELA
RIVER

ARNOLD CITY

BROWNSTOWN

FAYETTE
CITY

- AR-1 RURAL
- AR-2 SUBURBAN
- AR-3 URBAN
- B-1 RETAIL BUSINESS
- B-2 GENERAL BUSINESS
- I-1 LIGHT INDUSTRIAL
- C-1 CONSERVATION



WASHINGTON TOWNSHIP ZONING MAP

BEING A PART OF THE WASHINGTON TOWNSHIP ZONING ORDINANCE AS ADOPTED 6TH DAY OF JUNE, 1966
BEING ORDINANCE NO. 207

ATTEST: *John Hill Secretary*

ZONING CHANGES

<u>REQUESTEDBY</u>	<u>AREA</u>	<u>FROM - TO</u>	<u>DATE CHANGED</u>
WESTERN COAL	--VILLAGE OF NIOMI LEG. RT. 906	C-1 to B-1	AUGUST, 1976
EARL KEFFER	--VILLAGE OF GILESPPI TOWNSHIP RD. 434 COULDRON ROAD	C-1 to AR-1	JULY, 1982
SAM BITONTI	--VILLAGE OF LYNNWOOD LEG. RT 201 WASHINGTON PARK PLAZA	AR-3 to B-1	AUGUST 1983
ELIO FRANKI	--VILLAGE OF GILESPPI LEG. RT. 26018	C-1 to AR-1	AUGUST, 1984
DAVID SAMAK	--VILLAGE OF ARNOLD CITY KROSLICK ROAD, IKERTOWN	C-1 to I-1	APRIL 23, 1987
DAVID SAMAK	--VILLAGE OF ARNOLD CITY KROSLIC AVE IKERTOWN	C-1 to AR-3	APRIL 23, 1987
MRS. MANCUSO	--VILLAGE OF LYNNWOOD 1103 FAYETTE AVE	B-1 to AR-3	AUGUST 27, 1987