

ORDINANCE NO. 623

AN ORDINANCE REPEALING THE PENN TOWNSHIP ZONING ORDINANCE OF MARCH 19, 1968 AS AMENDED, REPLACING SAID ORDINANCE WITH AN ORDINANCE PERMITTING, PROHIBITING, REGULATING, RESTRICTING, AND DETERMINING THE USES OF LAND, WATERCOURSES, AND OTHER BODIES OF WATER; THE SIZE, HEIGHT, BULK, LOCATION, ERECTION, CONSTRUCTION, REPAIR, MAINTENANCE, ALTERATION, RAZING, REMOVAL AND USE OF STRUCTURES; THE AREAS AND DIMENSIONS OF LAND AND BODIES OF WATER TO BE OCCUPIED BY USES AND STRUCTURES AS WELL AS COURTS, YARDS, AND OTHER OPEN SPACES AND DISTANCES TO BE LEFT UNOCCUPIED BY USES AND STRUCTURES; THE DENSITY OF POPULATION BY USE AND STRUCTURES; THE DENSITY OF POPULATION AND INTENSITY OF USE; CREATING ZONING DISTRICTS AND ESTABLISHING THE BOUNDARIES THEREOF; CONTINUING THE OFFICE OF ZONING OFFICER; CONTINUING A ZONING HEARING BOARD; AND PROVIDING FOR THE ADMINISTRATION, AMENDMENT, AND ENFORCEMENT OF THE ORDINANCE, INCLUDING THE IMPOSITION OF PENALTIES IN THE TOWNSHIP OF PENN, THE COUNTY OF YORK AND COMMONWEALTH OF PENNSYLVANIA, PURSUANT TO THE AUTHORITY GRANTED IN THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE (ACT 170) AS ENACTED AND AMENDED.

BE IT ORDAINED by the Board of Commissioners of Penn Township, York County, Commonwealth of Pennsylvania, as follows:

TABLE OF CONTENTS

ARTICLE I SHORT TITLE, PURPOSE, AND DEFINITIONS ..... I-1  
200 Short Title ..... I-1  
201 Purpose ..... I-1  
202 Community Development Objectives ..... I-1  
203 Definitions ..... I-2

ARTICLE II ZONE REGULATIONS ..... II-1  
200 Zones and Boundaries ..... II-1  
201 Use Regulations ..... II-2  
202 R-8 - Urban Residential Zone ..... II-4  
203 R-15 - Suburban Residential Zone ..... II-6  
204 R-22 - Suburban Residential Zone ..... II-8  
205 R-40 - Rural Residential Zone ..... II-10  
206 A/O - Apartment and/or Office Zone ..... II-12  
207 S/C - Shopping/Commercial Zone ..... II-14  
208 HB - Highway - Oriented Business Zone ..... II-16  
209 I - Industrial Zone ..... II-18  
210 SSP - Steep Slope Protection Zone ..... II-21  
211 R-C - Rural Conservation Zone ..... II-28

ARTICLE III GENERAL PROVISIONS ..... III-1  
300 Accessory Uses and Structures ..... III-1  
301 Outdoor Signs ..... III-5

302	Unenclosed Storage .....	III-5
303	Off-Street Parking .....	III-5
304	Loading Space .....	III-10
305	Vacant.....	III-10
306	Access Drives .....	III-10
307	Landscape and Buffer Yards.....	III-14
308	Illumination.....	III-14
309	Drainage.....	III-14
310	Number of Principal Uses on a Lot.....	III-15
311	Street Access.....	III-15
312	Minimum Habitable Floor Area.....	III-15
313	Other Improvements.....	III-15
314	Intersection Sight Distance.....	III-16
315	Interior Yards .....	III-16
316	Flood Plain Regulations .....	III-17
317	Demolition .....	III-17
318	On Site Sewage Disposal Systems.....	III-17
319	Performance Standards .....	III-18
320	Parking of Commercial Vehicles in residential Districts and Unregistered Vehicles .....	III-25
321	Timber Harvesting .....	III-26
322	Uses Not Provided For.....	III-27
323	Corner Lots.....	III-28

**ARTICLE IV MODIFICATIONS AND NONCONFORMITIES .....** IV-1

400	Setback Modifications.....	IV-1
401	Modification of Maximum Height Restrictions .....	IV-2
402	Solar and Wind Energy Facilities .....	IV-3
403	Buildings Under Construction .....	IV-4
404	Division of Built-On-Lots .....	IV-5
405	Status of Subdivision or Land Development Plan .....	IV-5
406	Lots of Record .....	IV-6
407	Nonconforming Uses, Structures, and Dimensional Nonconformities..	IV-6

**ARTICLE V ZONING HEARING BOARD .....** V-1

500	Powers and Duties-General.....	V-1
501	Public Hearings .....	V-3
502	Variances.....	V-5
503	Special Exceptions.....	V-6

**ARTICLE VI STANDARDS FOR SPECIAL EXCEPTION USES.....** VI-1

600	Requirement of Specific Standards .....	VI-1
601	Adult Regulated Facility .....	VI-1
602	Airport, Heliport and Helistop.....	VI-2
603	Animal Hospital.....	VI-5
604	Bed and Breakfast Inn.....	VI-6
605	Cemetery .....	VI-6

606	Child Care Center.....	VI-7
607	Church Day Care Center .....	VI-7
608	Communications, Transmitting and Receiving Facilities .....	VI-8
609	Concentrated Animal Feeding Operations (CAFO) .....	VI-13
610	Convenience Store.....	VI-15
611	Conversion of Dwelling for Additional Family Members .....	VI-16
612	Expansion of a Nonconformity .....	VI-18
613	Family Day Care Home.....	VI-18
614	Golf Course .....	VI-19
615	Group Day Care Facility .....	VI-21
616	Group Day Care Home .....	VI-21
617	Halfway Houses.....	VI-22
618	Home Occupation.....	VI-23
619	Hospital, Skilled Health Care Facility.....	VI-24
620	Industrial Park.....	VI-24
621	Junkyard, Automobile Dismantling Plant.....	VI-25
622	Kennel.....	VI-25
623	Livestock and Poultry Kept For Personal Use.....	VI-26
624	Medical Clinics and Facilities .....	VI-27
625	Mini-Storage Warehouses.....	VI-28
626	Mobile Home Park .....	VI-29
627	Model Home and/or Sales Office .....	VI-30
628	Multi-Family Dwelling .....	VI-30
629	Parks, Outdoor Recreational Facilities and Other Open Spaces with Appurtenant Building .....	VI-31
630	Power Generation Facilities/Gas Fired Generators .....	VI-31
631	Public Uses and Buildings .....	VI-33
632	Public Utility Buildings .....	VI-34
633	Quarries and Mines.....	VI-34
634	Replacement of Nonconformity by Another Nonconformity.....	VI-37
635	Retirement Village .....	VI-38
636	Riding Academies and Boarding Stables.....	VI-39
637	Sanitary Landfill.....	VI-40
638	Service Station .....	VI-40
639	Shopping Center/Mall/Plaza .....	VI-41
640	Single Family Attached Dwelling.....	VI-42
641	Transportation (Passenger) Terminal.....	VI-42
642	Two-Family Conversion, Rooming House .....	VI-42
643	Vehicle Washing Facility .....	VI-43

**ARTICLE VII ADMINISTRATION AND ENACTMENT..... VII-1**

700	Permits .....	VII-1
701	Erroneous Permit.....	VII-2
702	Enforcement - Zoning Officer .....	VII-2
703	Modifications.....	VII-5
704	Amendments.....	VII-5
705	Fees .....	VII-6

706	Appeals.....	VII-6
707	Repealer .....	VII-6
708	Interpretation.....	VII-7
709	Violations.....	VII-7
710	Validity.....	VII-8
711	Effective Date.....	VII-8

APPENDIX

- A. Determining Shadow Patterns to Protect Solar Access ..... A-1
- B. Solar Skyspace Easement.....B-1

ENACTED AND ORDAINED this 29<sup>th</sup> day of December, 2004.

Board of Commissioners of Penn Township

By: Michael T. Rishel  
Michael T. Rishel, President

Attest:

Kristina J. Rodgers  
Kristina J. Rodgers, Township Secretary