

TOWNSHIP OF JEFFERSON
ORDINANCE NO. _____

**AN ORDINANCE OF THE TOWNSHIP OF JEFFERSON,
COUNTY OF WASHINGTON, COMMONWEALTH OF
PENNSYLVANIA, AMENDING ARTICLE 3 (“OVERLAY
ZONING DISTRICTS”), SECTION 301 (“ESTABLISHMENT
OF OVERLAY ZONING DISTRICTS”), AND ADDING
SECTION 310 (“SOLAR ENERGY FACILITY AREAS”) OF
THE JEFFERSON TOWNSHIP ZONING ORDINANCE AS TO
ADOPT AND ESTABLISH A SOLAR ENERGY FACILITY
OVERLAY DISTRICT.**

WHEREAS, the Pennsylvania Municipalities Planning Code, 53 P.S. §§ 10101, *et seq.*, as amended (“MPC”) authorizes the Jefferson Township Board of Supervisors (“Board of Supervisors”) to regulate zoning and land use in the Township of Jefferson (“the Township”) and to enact amendments to the Township’s Zoning Ordinance; and

WHEREAS, a significant portion of the land within the Township was previously surface mined as depicted in **Appendix “A;”** and

WHEREAS, reclaimed surface mined land is not optimal for farming; and

WHEREAS, in accordance with the Township’s Comprehensive Plan, the Board of Supervisors desires to maintain the rural, agricultural and residential nature of the Township while providing a mechanism for locating solar development to lands that are not prime farmland; and

WHEREAS, in an effort to protect the health, safety and welfare of the citizens of the Township, the Board of Supervisors has determined that Article 3 (“Overlay Zoning Districts”) of the Zoning Ordinance should be amended to establish a new Solar Energy Facility (“SEF”) Overlay District; and

WHEREAS, the Township Engineer has prepared a map depicting the proposed SEF Overlay District, a copy of which is attached hereto, incorporated herein, and identified as **Appendix “B”**; and

WHEREAS, the Township’s Planning Commission reviewed the proposed Ordinance at its meeting on October 9, 2024, and voted to **recommend/not recommend** approval of the Solar Ordinance; and

WHEREAS, the Board of Supervisors held a duly advertised public hearing on the proposed amendment, on [REDACTED] at [REDACTED] pm at **the Jefferson Township Municipal Building located at 670 Cedar Grove Road, Burgettstown, PA 15021**; and

WHEREAS, the Board of Supervisors has given careful consideration to all public comments and has determined that the creation of an SEF Overlay District is in the best interests of the health, safety and welfare of the inhabitants of the Township and the general public and will further encourage and maintain the most appropriate use of land within the Township.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township of Jefferson, County of Washington, Commonwealth of Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

Section 1. The Board of Supervisors of the Township of Jefferson hereby amends Article 3 (“Overlay Districts”), Section 301 (“Establishment of Overlay Zoning Districts”) of the Jefferson Township Zoning Ordinance by adding the bold and underlined text:

301 ESTABLISHMENT OF OVERLAY ZONING DISTRICTS. In addition to the zoning use districts established in Article 2 and delineated on the Township Zoning Map, all areas contained or characterized by the features listed hereunder are established as Overlay Zoning Districts in accordance with Section 605 of the Pennsylvania Municipalities Planning Code.

FP- Flood-Prone Areas

SS- Steep Slope Areas

LS- Landslide-Prone Areas

UM- Undermined Areas

HAP- Historic, Architectural and Archeological Preservation Areas

SEF- Solar Energy Facilities Areas

Section 2. The Board of Supervisors of the Township of Jefferson hereby amends Article 3 (“Overlay Districts”) of the Jefferson Township Zoning Ordinance to add Section 310 (“Solar Energy Facility Areas”), which shall include the following language:

SECTION

310 SOLAR ENERGY FACILITY AREAS

310.1 PURPOSE. The purpose of the Solar Energy Facility Area Overlay is to preserve the rural, agricultural, and residential nature of the Township while providing a mechanism for locating solar development to lands that are not prime farmland by authorizing the use of these areas for Solar Energy Facilities subject to compliance with applicable regulations of the Township, County of Washington, and the Commonwealth of Pennsylvania.

310.2 The permitted uses in in the SEF Area Overlay District and other regulations applicable to Solar Energy Facilities shall be set forth in a separate zoning ordinance.

Section 3. Adoption of Overlay District Map. A significant portion of the land within the Township was previously surface mined as depicted in **Appendix “A.”** The Board of Supervisors of the Township of Jefferson hereby establishes a Solar Energy Facility Overlay District, a copy of which is attached hereto, incorporated herein, and labelled as **Appendix "B."** The Township Engineer is hereby directed to update the official Zoning Map of the Township in accordance with this Ordinance.

Section 4. Severability. The provisions of this Ordinance shall be severable and if any court of proper jurisdiction holds any provision of this Ordinance or the application of any provision to be illegal or unconstitutional, then the other provisions of this Ordinance or other applications of such other provisions to other circumstances, shall remain in full force an effect.

Section 5. Repealer. Any ordinance or resolution of the Township of Jefferson inconsistent herewith is repealed, in whole or in part, as to the extent of said conflict.

Section 6. Effective Date. This Ordinance shall be effective immediately.

ORDAINED and ENACTED into law by the Board of Supervisors of the Township of Jefferson, Washington County, Pennsylvania, this _____ day of _____, 2024.

ATTEST:

TOWNSHIP OF JEFFERSON

Christopher Lawrence, Chairman
Jefferson Township Board of Supervisors

APPENDIX "A"

APPENDIX "B"