

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE TOWNSHIP OF SOLEBURY,  
BUCKS COUNTY, PENNSYLVANIA, CHAPTER 27 OF  
THE TOWNSHIP CODE OF ORDINANCES (ZONING)  
RELATING TO FARM WORKER HOUSING**

**WHEREAS**, Section 1516 (53 P.S. Section 66516) of the Pennsylvania Second Class Township Code provides that the corporate powers of the Board of Supervisors of Solebury Township (the “Board of Supervisors”) include the ability to plan for the development of the Township through Zoning, Subdivision, and Land Development Regulations under the Act of July 13, 1968 (P.L. 805, No. 247), known as the “Pennsylvania Municipalities Planning Code”;

**WHEREAS**, Section 1601 of the Second Class Township Code provides that the Board of Supervisors may adopt Ordinances in which general or specific powers of the Township may be exercised, and, by the enactment of subsequent Ordinances, the Board of Supervisors may amend, repeal, or revise existing Ordinances (53 P.S. Section 66601);

**WHEREAS**, the Board of Supervisors finds it to be in the best interests of the Township to the proposed ordinance amendments; and

**WHEREAS**, the proposed amendments have been advertised, considered, and reviewed in accordance with Municipalities Planning Code Section 609 (53 P.S. Section 10609);

**NOW THEREFORE**, in consideration of the foregoing, be it **ENACTED** and **ORDAINED** by the Board of Supervisors of Solebury Township, Bucks County, Pennsylvania, as follows:

**I. Chapter 27** of the Township Code of Ordinances is hereby **AMENDED** as follows:

**A. DELETE** the following definition from Section 27-202:

AGRICULTURAL WORKERS — Individuals who earn their primary income by undertaking one or more agricultural use activities.

**B. ADD** the following definitions to Section 27-202:

FARM WORKER HOUSING — Accessory housing designed to accommodate the needs of farmworkers and their families, for persons who are actively employed and engaged in Agricultural Operations on a farm in Solebury Township. Such housing is intended to be Attainable Housing for Farm Workers. Where applicable, such housing is subject to the Federal Migrant Agricultural Worker Protection Act, and the Pennsylvania Seasonal Farm Labor Act (Act of 1978, P.L. 537. No. 93).

FARM WORKERS — Individuals who earn their primary income by undertaking one or more Agricultural Operations.

**ATTAINABLE HOUSING** — Housing for persons making up to 80% of the Area Median Income (AMI).

**AREA MEDIAN INCOME (AMI)** — The median income for Solebury Township that is calculated annually by the federal government, representing the midpoint of the income distribution within the area, meaning one-half of the households earn more than the AMI, and one-half earn less.

**AGRICULTURAL OPERATION(S)** — An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

**C. ADD** Section 27-402.1.B(9) as follows:

(9) Farm Worker Housing, in accordance with §27-2603.P.

**D. DELETE** text of Section 27-402.1.C(8) in its entirety and **MARK** section [Reserved].

**E. DELETE** Section 27-402.1.C(17) in its entirety.

**F. REPLACE** Section 27-404.1.B(2)(i) in its entirety so that it reads:

(i) Clustering. The principal dwelling and all accessory dwellings shall be clustered within 20% of the entire tract. This provision shall not apply to Farm Worker Housing.

**G. REPLACE** Section 27-404.1.B(2)(j) in its entirety so that it reads:

(j) Maximum number allowed. A maximum of two accessory dwellings may be erected provided the lot is a minimum of 50 acres in area.

**H. ADD** new Section 27-404.1.B(3) as follows:

(3) Farm Worker Housing in accordance with §27-2603.P is permitted subject to the following provisions notwithstanding that other Accessory Dwellings may exist or be permitted on a tract on which Agricultural Operations occur.

- (a) Minimum lot area: 10 acres.
- (b) Minimum lot width at building line: 225 feet.
- (c) Minimum lot width at street line: 100 feet.
- (d) Maximum total impervious surface coverage: 20%.

- (e) Maximum building coverage: 15%.
- (f) Maximum building size: 3,000 square feet.
- (g) Minimum depth of front yard: 80 feet.
- (h) Minimum depth of rear yard: 60 feet.
- (i) Minimum width of each side yard: 50 feet.
- (j) Clustering. There is no requirement that the principal dwelling and Farm Worker Housing shall be clustered.
- (k) Maximum number allowed. The maximum number of Farm Worker Housing dwellings for occupancy by Farm on tracts where Agricultural Operations occur Workers shall be:
  - (1) One (1) Farm Worker Housing dwelling on tracts in which at least 10 and less than 25 acres are currently being used for active agriculture operations.
  - (2) Two (2) Farm Worker Housing dwellings for tracts in which 25 to 50 acres are currently being used for active agriculture operations.
  - (3) Three (3) Farm Worker Housing dwellings for tracts in which more than 50 acres are currently being used for active agriculture operations.
- (l) Nothing contained in this section shall permit Farm Worker Housing to be constructed on a lot which has been restricted from the construction of additional dwellings by deed, subdivision plan, operation of law or otherwise.
- I. DELETE** text of Section 27-404.1.C(5) in its entirety and **MARK** section **[Reserved]**.
- J. DELETE** Section 27-404.1.C(9) in its entirety.
- K. REPLACE** 27 Attachment 1 - Summary Table - Area and Bulk Regulations RA, Residential/Agricultural District in its entirety with revised 27 Attachment 1 attached hereto.
- L. ADD** Section 27-602.1.B(9) as follows:
  - (9) Farm Worker Housing, in accordance with §27-2603.P.

**M. DELETE** text of Section 27-602.1.C(10) in its entirety and **MARK** section **[Reserved]**.

**N. DELETE** Section 27-602.1.C(19) in its entirety.

**O. REPLACE** Section 27-604.1.B(2)(i) in its entirety so that it reads:

(i) Clustering. The principal dwelling and all accessory dwellings shall be clustered within 20% of the entire tract. This provision shall not apply to Farm Worker Housing.

**P. REPLACE** Section 27-604.1.B(2)(j) in its entirety so that it reads:

(j) Maximum number allowed. A maximum of two accessory dwellings may be erected provided the lot is a minimum of 50 acres in area.

**Q. ADD** new Section 27-604.1.B(3) as follows:

(3) Farm Worker Housing in accordance with §27-2603.P is permitted subject to the following provisions notwithstanding that other Accessory Dwellings may exist or be permitted on a tract on which Agricultural Operations occur.

(a) Minimum lot area: 10 acres.

(b) Minimum lot width at building line: 225 feet.

(c) Minimum lot width at street line: 100 feet.

(d) Maximum total impervious surface coverage: 20%.

(e) Maximum building coverage: 15%.

(f) Maximum building size: 3,000 square feet.

(g) Minimum depth of front yard: 80 feet.

(h) Minimum depth of rear yard: 60 feet.

(i) Minimum width of each side yard: 50 feet.

(j) Clustering. There is no requirement that the principal dwelling and Farm Worker Housing shall be clustered.

(k) Maximum number allowed. The maximum number of Farm Worker Housing dwellings for occupancy by Farm on tracts where Agricultural Operations occur Workers shall be:

- (1) One (1) Farm Worker Housing dwelling on tracts in which at least 10 and less than 25 acres are currently being used for active agriculture operations.
- (2) Two (2) Farm Worker Housing dwellings for tracts in which 25 to 50 acres are currently being used for active agriculture operations.
- (3) Three (3) Farm Worker Housing dwellings for tracts in which more than 50 acres are currently being used for active agriculture operations.

(l) Nothing contained in this section shall permit Farm Worker Housing to be constructed on a lot which has been restricted from the construction of additional dwellings by deed, subdivision plan, operation of law or otherwise.

**R. DELETE** text of Section 27-604.1.C(6) in its entirety and **MARK** section [Reserved].

**S. DELETE** Section 27-604.1.C(10) in its entirety.

**T. ADD** new Section 27-2603.1.A(6) as follows:

(6) Farm Worker Housing in RA Residential/Agriculture District and RB Residential Agriculture District in accordance with §§ 27-404, 27-604 and 27-2603.P.

(a) Zoning permit required.

**U. ADD** new Section 27-2603.P as follows:

**P. Farm Worker Housing.**

1. Purposes.

Farm Worker Housing is intended to be an additional attainable form of housing in the RA and RB Districts guided by the Purposes described below.

A. To provide an opportunity for attainable housing as an accessory use in the agricultural community for persons that are engaged in agriculture and agricultural operations in Solebury Township.

B. To establish provisions that are consistent with the Pennsylvania Municipalities Planning Code (PA MPC),

especially Article VI-Zoning, and Section 603.(h) relative to encourage the continuity, development and viability of agricultural operations.

- C. To establish provisions that are consistent with the PA MPC, especially Article VI-Zoning, and Section 604.(4) relative to providing for the use of land for residential housing of various dwelling types encompassing all basic forms of housing.
- D. To establish provisions that are consistent with the PA MPC, especially Article VI-Zoning, and Section 605.(2)(vii) relative to Classifications of uses and structures in agricultural areas.
- E. To help implement the Solebury Township Comprehensive Plan of 2014, and any updates thereto.

2. Supplemental Provisions.

Farm Worker Housing shall be permitted as an accessory use permitted by right on all tracts of 10 acres or more subject to obtaining applicable Township and Bucks County Board of Health permits, and the following provisions, including:

- A. Farm Worker Housing is permitted by converting existing buildings into residential units or by constructing new buildings for that purpose.
- B. Farm Worker Housing shall be accessory to the principal use agriculture farm use.
- C. The property owner shall reside in a dwelling on the tract; provided, however, this requirement may be met if the property owner resides on a different farm property within the Township also owned by the property owner.
- D. Farm Worker Housing shall be limited to farm workers actively employed in agriculture and the agricultural operations on a farm in Solebury Township where they work or on another farm within Solebury Township owned by the same property owner, along with their immediate families.
- E. Each Farm Worker Housing Unit shall have a maximum number of occupants per dwelling, subject to the Bucks County Board of Health approval of septic systems, and the Applicant shall demonstrate compliance with the Bucks

County Board of Health regulations for sewage facilities for farm worker housing.

- F. Housing shall comply with Township Building code requirements and with applicable zoning setback requirements and impervious surface requirements of the RA and RB Districts, as applicable.
- G. The Applicant shall establish that the farm is actively involved in agricultural production and produces a minimum of \$10,000.00 a year in gross farm income.
- H. The use of Farm Worker Housing dwellings for occupancy by farm workers shall be considered abandoned if the property ceases to be actively engaged in agricultural use for a continuous period in excess of 365 days.
- I. If Farm Worker Housing is determined by the Zoning Officer or Code Official to be abandoned and no longer occupied by a farm worker on the tract, should the property owner desire to change the use to non-farmworker housing, then the property owner shall obtain a Special Exception for the dwelling to be occupied by a non-farm worker, and shall demonstrate that it is no longer feasible for the dwelling to be occupied by a farm worker. It shall be a condition of any Special Exception approved that the Farm Worker Housing Unit shall be occupied as Attainable Housing.
- J. Zoning and building permits shall be required to construct farm worker housing and to convert existing buildings into farm worker housing.
- K. Farm Worker Housing is permitted as an accessory use. No subdivision of a Farm Worker Housing Unit from the principal use shall be permitted except in strict compliance with the requirements of the Solebury Township Subdivision and Land Development Ordinance and the owner obtaining a Special Exception pursuant to Section 27-2603.2.I hereof.
- L. Housing meeting the definition of seasonal farm labor camps under the Pennsylvania Seasonal Farm Labor Act (Act of 1978, P.L. 537, No. 93) shall be consistent with the provisions of that Act. Proof of required inspections and valid permits indicating compliance with the applicable standards shall be provided to the Township upon request.

**II. Partial Repealer**

All other provisions of the Ordinances of Solebury Township, as amended, shall remain in full force and effect. All other Ordinances or provisions of the Ordinance inconsistent herewith or in conflict with any of the terms hereof are, to the extent of said inconsistencies or conflicts, hereby specifically repealed.

**III. Severability**

The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence or part of a provision had not been included herein.

**IV. Effective Date**

All provisions of this Ordinance shall be in full force and effect five (5) days after the approval and adoption.

**ORDAINED AND ENACTED** this \_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Mark Baum Baicker, Chair

\_\_\_\_\_  
Christy Cheever, Vice-Chair

\_\_\_\_\_  
Kevin Morrissey, Member

\_\_\_\_\_  
John Francis, Member

\_\_\_\_\_  
Rickie Yudin, Member

Attest:

\_\_\_\_\_  
Catherine Cataldi, Township Secretary