

ORDINANCE NO. 2012-129

TUNKHANNOCK TOWNSHIP

MONROE COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING THE TUNKHANNOCK TOWNSHIP ZONING ORDINANCE OF MAY 23, 2012, TO:

ITEM 1 - AMEND DEFINITIONS 1
ITEM 2 - UPDATE THE *SETBACKS AND ASSOCIATED YARDS* ILLUSTRATION 2
ITEM 3 - UPDATE THE *SETBACKS* ILLUSTRATION 2
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BE IT HEREBY ORDAINED AND ENACTED by the Board of Supervisors of Tunkhannock Township, Monroe County, Pennsylvania, by authority of and pursuant to the provisions of Act of 1968, P.L. 805, No. 247 of the General Assembly of the Commonwealth of Pennsylvania, approved July 31, 1968, as reenacted and amended, known and cited as the "Pennsylvania Municipalities Planning Code," as follows:

The Tunkhannock Township Zoning Ordinance of May 23, 2012, as amended, is hereby amended as follows:

□ ITEM 1

Amend the following definitions in §303 to read as follows:

Conservation Area, Primary: Those areas of a development tract which are comprised of environmentally sensitive lands on which development is minimized.

Lot Depth: The horizontal distance between the midpoint of the front lot line and the midpoint of the rear lot line. On corner lots, lot depth shall be measured along the longest dimension of the lot.

Lot Width: The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required or approved front setback lines. In the case of a lot fronting on a cul-de-sac turnaround or curve, along a chord perpendicular to a radial line located equidistant between the side lot lines, the said chord shall intersect the radial line at a point located at the required or approved building setback line.

Setback, Front: The required minimum open space extending the full width of the lot between the principal structure(s), accessory structures, or other improvements and the front lot line. See also *yard* and *lot line*.

Setback, Rear: The required minimum open space extending the full width of the lot between the principal structure(s), accessory structures, or other improvements and the rear lot line. See also *yard* and *lot line*.

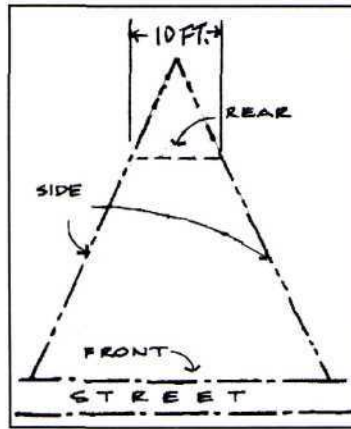
Setback, Side: The required minimum open space extending from the front setback to the rear setback between the principal structure(s), accessory structures, or other improvements and the side lot line. See also *yard* and *lot line*.

□ ITEM 2

In §303, replace the two illustrations titled *Required Setbacks and Associated Yards* with the adjoining *Setbacks and Associated Yards* illustration:

□ ITEM 3

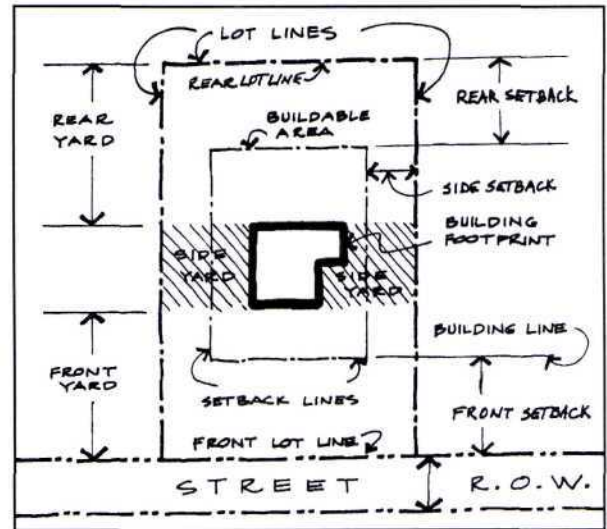
In §303, add the adjoining illustration to the definition of *Lot Line, Rear*:



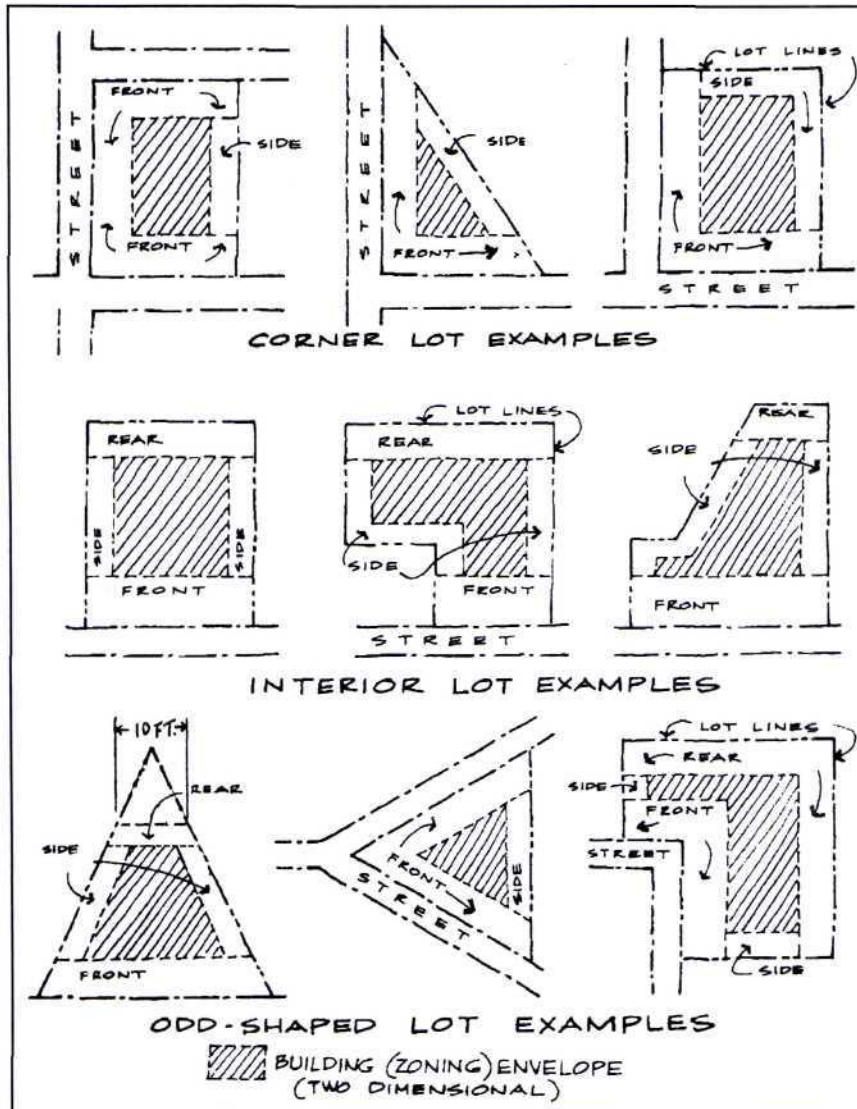
Rear Lot Line on Triangular Lot

□ ITEM 4

In §303, replace the *Required Setbacks* illustration with the following *Setbacks* illustration:



Setbacks and Associated Yards



Setbacks

SCHEDULE OF DEVELOPMENT STANDARDS (See §501.4 for the use of nonconforming lots.)										
- Other sections of this Ordinance include different standards for certain uses which shall in all cases apply in lieu of the corresponding basic standards in this Schedule. All other applicable standards in this Schedule shall apply. - Larger lot sizes may be required to comply with required standard and to provide all required improvements such as parking, sewage disposal, and stormwater management.										
USE	LOT			MINIMUM SETBACKS (feet)			MAXIMUM BUILDING HEIGHT		MAXIMUM COVERAGE (percent)	
	required minimum area (acres)	minimum frontage (feet)	maximum depth to width ratio	front	rear	each side	feet	stories		building
I INDUSTRIAL DISTRICT										
- Allowed uses unless governed by other Ordinance provisions	2	200	5:1	40	30	20	35	2.5	50	75
C-1 NEIGHBORHOOD COMMERCIAL DISTRICT										
- Single-family dwellings not subject to §601 - Conservation Design Development	2	200	5:1	40	30	20	35	2.5	40	60
- Allowed uses unless governed by other Ordinance provisions	Note 1	Note 2	5:1	40	30	20	35	2.5	30	50
- two-family dwellings	See §603.3									
- multi-family dwellings	See §603.3									
Note 1: 2 acres for the first dwelling unit, 1 acre for the second dwelling unit, and 0.5 acre for each additional dwelling unit. Note 2: 200 feet for the first 2 dwelling units with an additional 100 feet for each dwelling unit in excess of 2 dwelling units.										
C-2 GENERAL COMMERCIAL DISTRICT										
- Allowed uses unless governed by other Ordinance provisions	2	200	5:1	40	30	20	35	2.5	50	75
- multi-family dwellings	See §603.3									
Note 1: 2 acres for the first dwelling unit, 1 acre for the second dwelling unit, and 0.5 acre for each additional dwelling unit. Note 2: 200 feet for the first 2 dwelling units with an additional 100 feet for each dwelling unit in excess of 2 dwelling units.										

□ ITEM 6

Amend of §501.4 to read as follows:

501.4 Nonconforming Lots of Record

A. Dwellings

1. Single-Family Dwellings - A single-family dwelling may be erected or expanded on any lawful nonconforming lot of record in any District where permitted, in compliance with the following setbacks and all other applicable requirements.

Nonconforming Lot Size	Minimum Setback (feet)		
	Front	Each Side	Rear
one (1) acre or more	40	20	30
less than one (1) acre	40	10	30
See §503.1 for accessory structures.			

2. Other Dwellings - All other dwelling types shall comply with the normal standards of this Ordinance.

B. Nonresidential Uses - In all districts, a lawful nonconforming lot of record may be used for any nonresidential use classified as a principal permitted use in the district of location provided:

1. Standards - All applicable standards in this Ordinance are satisfied unless a variance is granted by the Zoning Hearing Board.
2. Lot Size Requirement - This Ordinance does not require a lot size for the specific use which is greater than the basic lot size for the District.

C. Combination Required - If a use is proposed on adjoining nonconforming lots in single ownership, the lots shall be combined into a single parcel in accord with the requirements of the Township Subdivision and Land Development Ordinance.

□ ITEM 7

Amend the noted parts of §504 to read as follows:

A. Opening paragraph of §504:

504 Off-Street Parking and Loading

This §504 shall apply to all new and expanded uses and to changes of use, and all such uses shall be provided with parking and loading areas adequate to meet the needs of the use. Any proposal which is considered a land development as defined by the Township Subdivision and Land Development Ordinance shall be governed by the parking and loading area design standards in that Ordinance. Following the establishment of any land development, the ongoing operation and maintenance of the off-street parking and loading facilities shall comply with the requirements of this §504 and violations shall be subject to the enforcement provisions of this Ordinance. However, all provisions of this §504 shall continue to apply to land developments until such time as the applicable parking standards have been incorporated into the Township Subdivision and Land Development Ordinance.

B. §504.2D:504.2 Site Plan; Design

D. Design - Off-street parking areas, access ways, fire lanes, traffic flow signs, pavement markings, and other necessary facilities shall be designed and provided in accord with the most current Institute of Transportation Engineers Traffic Engineering Handbook, or other generally accepted methodology approved by the Township. The Applicant shall provide copies of the methodology used for the design. Notwithstanding the above, all parking spaces and the overall design shall be ample in size for the vehicles for which use is intended and stalls shall be a minimum of ten (10) feet by twenty (20) feet with aisles of not less than twenty-four (24) feet unless designed as required above.

C. §504.6:504.6 Number of Spaces To Be Provided

The number of parking spaces required by this §504.6 shall be considered the minimum requirement unless modified in accord with this §504.6.

D. §504.6.A.3:3. Land Uses WITHOUT 85th Percentile Data Listed in the Parking Demand Table

- a. Constructed - The number of paved parking spaces constructed shall be the Average Peak Period Demand or eighty-five (85) percent of the Peak, whichever is reported in the Parking Demand Table.
- b. Reserved - Space shall be reserved to allow for expansion to one hundred fifteen (115) percent of the number of spaces required by §504.6.A.3.a unless a reduction is approved in accord with §504.6.D.

E. §504.6.B:

B. Parking Required for Residential Uses - Two off-street parking spaces shall be provided and maintained for each residential dwelling unit except as follows:

1. Single-family dwellings - 3 per dwelling unit.
2. Two-family dwellings and multi-family dwellings - 2 per dwelling unit.
3. Multi-family senior citizen housing and other senior citizen housing - 1 per dwelling unit.
4. Assisted living facilities - 0.5 per dwelling unit.

E. §504.14:504.14 Snow Storage and Removal

All plans for proposed parking areas of 50 or more spaces shall include details for adequate snow storage and removal.

 ITEM 8

Amend §912 to read as follows:

912 Use of Nonconforming Lots of Record

See §501.4.

 ITEM 9

In Article IV, make the following changes to the noted Schedules of Uses and make the associated changes

to the Table of Uses Permitted by District:

- A. In the C-1 District: Move *multi-family dwellings, single-family detached dwellings* and *two-family dwellings* from the list of principal permitted uses to the list of special exceptions.
- B. In the C-2 District: Move *multi-family dwellings* from the list of principal permitted uses to the list of special exceptions, and delete *single-family detached dwellings* from the list of principal permitted uses.

SEVERABILITY

Should any section, subsection, clause, provision or other portion of this Ordinance be declared invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance; the Board of Supervisors having adopted this Ordinance as if such invalid portions had not been included therein.

EFFECTIVE DATE


This Ordinance shall become effective immediately upon adoption.


ADOPTION

This Ordinance ordained and enacted this 10th Day of October, 2012, by the Board of Supervisors of Tunkhannock Township, Monroe County, Pennsylvania, to be effective immediately.

ATTEST: 
Maria Wieand
Township Secretary/Treasurer


Maureen Sterner, Chairperson


George Ewald, Vice-Chairperson


Fran DePiano, Supervisor