

JACKSON TOWNSHIP
MONROE COUNTY, PENNSYLVANIA

ORDINANCE NO. 2015-101

AN ORDINANCE AMENDING THE JACKSON TOWNSHIP ZONING ORDINANCE OF MAY 1, 2014, TO:

ITEM 1 - UPDATE THE TABLE OF REGIONAL USES IN §27-204.1D 1
 ITEM 2 - INCLUDE A REFERENCE TO THE LATEST EDITION OF PARKING GENERATION IN §27-1004.6A(1)..... 2
 ITEM 3 - UPDATE MAXIMUM BUILDING HEIGHT TABLE IN §27-601.7 (RC DISTRICT) 2
 ITEM 4 – MAKE VARIOUS EDITORIAL CHANGES 3
 ITEM 5 - CORRECT THE SPACING IN THE TABLE IN §1004.8A 3
 ITEM 6 - AMEND THE HOUSING SECTION OF §27-1007 3
 ITEM 7 - AMEND §27-1011.2 - BUFFER AREAS PRIOR TO DEVELOPMENT APPROVAL..... 3
 ITEM 8 - CORRECT THE SPACING IN THE THIRD ROW OF THE TABLE IN §1306.06C..... 4
 ITEM 9 - DELETE AND AMEND DEFINITIONS OF IN §27-1602..... 4
 ITEM 10 - DELETE DEFINITIONS FROM §27-1702 (RELATED TO SIGNS)..... 5
 ITEM 11 - AMEND §27-1710 RELATED TO TYPES OF ELECTRONIC MESSAGE SIGNS 5
 ITEM 12 - AMEND THE *GROUP HOME* LISTING IN §27-401.2 5
 ITEM 13 - AMEND THE APPEAL PERIOD IN §27-1412.3E 5
 ITEM 14 - AMEND THE PARKING DEMAND TABLE IN THE APPENDIX..... 6

BE IT HEREBY ORDAINED AND ENACTED by the Board of Supervisors of Jackson 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," that the *Jackson Township Zoning Ordinance of May 1, 2014*, is amended as follows:

☞ ITEM 1 - Amend §27-204.1D to read as follows:

D. Regional Uses. The uses listed in the Regional Uses Table are available within the Planning Region as provided by the Pennsylvania Municipalities Planning Code.

REGIONAL USES					
Land Use	Zoning District Allowed				
	Chestnuthill	Jackson	Eldred	Ross	Polk
Adult Business	not permitted	I	not permitted	not permitted	not permitted
Agriculture Products Processing	not permitted	I	not permitted	not permitted	I
Animal Shelters	not permitted	not permitted	not permitted	GC	C
Bulk Fuel Storage Facility	not permitted	I	I	not permitted	I
Concentrated Animal Feeding Operation	not permitted	not permitted	not permitted	RR	RR
Correctional Facility	not permitted	not permitted	not permitted	GC	not permitted
Distribution Center/Truck Terminal	not permitted	I	not permitted	GC	not permitted
Flea Market, Outdoor	VC, GC	not permitted	not permitted	GC	C
Industrial Wastewater Treatment Facility	not permitted	I	not permitted	not permitted	not permitted
Industry	not permitted	I	I	not permitted	I
Junk Yard	not permitted	not permitted	not permitted	RR	not permitted
Kennel	not permitted	not permitted	RR	not permitted	C
Mineral Processing	not permitted	I	I	not permitted	not permitted

REGIONAL USES					
Land Use	Zoning District Allowed				
	Chestnuthill	Jackson	Eldred	Ross	Polk
Mobile Home Park	R-3	not permitted	not permitted	R-2	R-2
Pipeline Compressor Station, Metering Station or Operation/Maintenance Facilities	LIC, GI	I	not permitted	GC	not permitted
Power Plant	not permitted	I	not permitted	not permitted	not permitted
Race Track	not permitted	not permitted	RR	GC	not permitted
Recycling Facility	GI	I	I	not permitted	not permitted
Resource Recovery Facility	not permitted	I	not permitted	not permitted	not permitted
Retail/Commercial Development, Large-Scale	VC, GC, LIC	C	C	GC	C
Shooting Range, Outdoor Commercial	RR	not permitted	not permitted	RR	not permitted
Solid Waste Landfill	not permitted	not permitted	not permitted	RR	not permitted
Solid Waste Transfer Facility	not permitted	I	not permitted	not permitted	not permitted
Travel Plaza	not permitted	C	not permitted	GC	not permitted
Wind Energy Facility, Commercial	not permitted	not permitted	RR	RR	not permitted
Zoo or Menagerie	not permitted	RC	not permitted	not permitted	not permitted

Chestnuthill Township

RR - Rural Residential
 R-3 - Medium High Density Residential
 VC - Village Commercial/Residential
 GC - General Commercial
 GI - General Industrial
 LIC - Light Industrial/Commercial

Eldred Township

RR - Rural Resource
 C - Commercial
 I - Industrial
Jackson Township
 RC - Recreation Commercial
 C - Commercial
 I - Industrial

Ross Township

RR - Rural Residential
 R-2 - Medium Density Residential
 GC - General Commercial
Polk Township
 RR - Rural Residential
 R-1 - Rural Residential
 R-2 - Rural/Village Residential
 R-3 - Village Center District
 C - Commercial District
 I - Industrial District

☞ ITEM 2 - Amend §27-1004.6A(1)a to read as follows:

- a. Parking Demand Table. Off-street parking spaces shall be provided and maintained in accord with the Parking Demand Table included as an appendix to this Chapter or the latest edition of Parking Generation published by the Institute of Transportation Engineers. The Parking Demand Table may be updated by resolution of the Board of Supervisors to include more current data.

☞ ITEM 3 - Amend the Maximum Building Height Table in §27-601.7 (RC District) to read as follows:

Maximum Building Height (Measured from the average finished grade of the ground immediately adjoining the building to the highest point of the roof except as modified by §27-301.1.)	
-Single-family dwellings in subdivisions not subject to conservation design (§27-1303.4 for exemptions.) -All other uses -Conservation design subdivisions -Hamlets and villages	Principal residential structures: 3 stories, but no more than 38 feet. Principal nonresidential structures: 3 stories, but no more than 38 feet. The maximum height limit may be increased to 5 stories, but no more than 50 feet, provided that each minimum building setback is increased in size 1 foot for each additional 1 foot of building height over 38 feet. Accessory structures: 1.5 stories, but no more than 25 feet. (not applicable to agricultural structures)

☞ ITEM 4 - Amend the following sections to read as noted:

§27-801. I - Industrial District.

3. Accessory Uses. Customary accessory uses and buildings incidental to any of the uses allowed in the I District, including:

§27-901. CV - Conservation District.

3. Accessory Uses. Customary accessory uses and buildings incidental to any of the uses allowed in the CV District, including:

§27-1001. Fences and Walls.

No fence or wall (except a retaining wall or a wall of a building permitted under the terms of this Chapter) shall be erected to a height of more than 6 feet in any residential zone or upon any lot used for residential purposes in any other zone. In a V, RC, C, I or CV zone a fence may be erected to 8 feet in height in any setback area but no higher. The above fencing height restrictions apply universally, except as modified in Part 12 of this Chapter.

§1008.8H Definitions.

LIGHT TRESPASS - Light emitted by a luminaire or installation, which is cast beyond the boundaries of the property on which the lighting installation is sited.

§27-1103. Requirements for All Conditional Use and Special Exception Applications.

2. The applicant shall cause a site development plan map to be prepared by a civil engineer, surveyor, land planner or architect. Site development plan elements shall include those listed below which are appropriate to the proposed development or use:

§27-1213. Day Care Home (Family or Group)

2. Outdoor play areas must be located in a side or rear yard of the dwelling and be sufficiently enclosed so as to provide for the health and safety of the children.

☞ ITEM 5 - Correct the spacing in the table in §1004.8A to the following format:

WIDTH*	1-Way Use	2-Way Use
Minimum	12 feet	20 feet
Maximum	35 feet	50 feet
*exclusive of the turning radius		

☞ ITEM 6 - Amend the housing section of §27-1007 to read as follows:

Housing Housing developments (single-family, two-family or multi-family) if in excess of 50 or more dwelling units, or resulting in the development of 25 dwelling units or more and within 1,000 feet of the Township boundary line.

☞ ITEM 7 - Amend §27-1011.2 to read as follows:

2. Buffer Areas Prior to Development Approval. In addition to the requirements of §27-1011.1, the following requirements shall apply to all parcels in V, RC, C, I and CV Districts and parcels of more than ten (10) acres in R-1 Districts.

A. A buffer shall be maintained until such time as a development plan is approved for the parcel and buffers are

provided in accord with this Chapter. The buffer shall not be less than 75 feet in width and shall be maintained along all property lines and any road right-of-way. Existing vegetation in this buffer area shall not be disturbed except that trees may be harvested to the extent that the basal area of trees in the seventy-five foot buffer area shall not be reduced below 50 percent of the basal area present before cutting or below 65 square feet per acre, whichever is higher. Any such reduction shall be by thinning the vegetation across the entire buffer so that the buffer is maintained along all property lines and road rights-of-way. Basal area is the area in square feet per acre occupied by tree stems at four 4.5 feet above the ground, normally measured by a calibrated prism or angle gauge.

- B. Clearing of vegetation and landscaping for a development project shall be in accord with an overall plan to be submitted with the zoning and land development plan application. Such clearing shall not be initiated until the application is approved by the Township. For the purposes of installation, landscaping shall be considered an improvement in accord with the Township Subdivision and Land Development Ordinance. The clearing and landscaping plan shall show the type and extent of existing vegetation, the area proposed for clearing and proposed landscaping.

ITEM 8 - Correct the spacing in the third row of the table in §1306.06C to the following format:

DENSITY AND CONSERVATION OPEN SPACE							
OPTION 1 Basic Density and Basic Conservation <u>neutral density</u>)		OPTION 2 Increased Density with Increased Conservation <u>20% density bonus</u> (ATA/unit reduced by 20%)		OPTION 3 Greater Density with Greater Conservation <u>30% density bonus</u> (ATA/unit reduced by 30%)		OPTION 4 Standard Subdivision with no Conservation Open Space	
Density Factor (SF ATA / DU ¹)	Minimum Conservation Open Space Required ²	Density Factor (SF ATA / DU ¹)	Minimum Conservation Open Space Required ²	Density Factor (SF ATA / DU ¹)	Minimum Conservation Open Space Required ²	Minimum Lot Size (SF)	Minimum Conservation Open Space Required ³

ITEM 9 - Delete and amend the following definitions from §27-1602:

A. Delete -

Detached Structure - See *structure, detached*.

B. Amend to read -

Bulk Fuel Storage Facility: Any facility where gasoline is stored in bulk for distribution by delivery truck, or fuel, including, but not limited, to kerosene, home heating oil, diesel fuel, gasoline, or propane, is stored in large volume tanks for distribution to retail or wholesale establishments; or any *retail home heating fuel distributor* where the storage of fuel on the site exceeds a combined total of twenty-thousand (20,000) gallons.

Retail Home Heating Fuel Distributors: An establishment that delivers kerosene, home heating oil, and propane to individual dwellings or commercial establishments for use on that premises and not for resale, and where the storage of fuel on the site of the retail home heating fuel distributor does not exceed a combined total of 20,000 gallons. Any such establishment where the storage of fuel on the site exceeds a combined total of twenty-thousand (20,000) gallons shall be considered a *bulk fuel storage facility*.

☞ **ITEM 10 - Delete the following definitions from §27-1702 (related to signs):**

Automated Teller Machine Directional Sign: A directional sign which is used to direct pedestrian or vehicular traffic on a parcel to the location of an automated teller machine.

Traffic Directional Sign: Signs used at driveways to improve public safety and to enhance public access to the site from public streets, which provides information to assist the operators of vehicles in the flow of traffic. Such signs may use names, logos, or symbols of buildings, businesses, activities, uses or places as a means of direction.

☞ **ITEM 11 - Amend §27-1710 to read as follows:**

§27-1710. Electronic Message Signs.

1. Types of Signs.

- A. C - Commercial District. In the C - Commercial District the only following types of signs may be an electronic message sign:
 - (1) Changeable panel sign (§27-1707.7).
 - (2) Individual freestanding business identification sign (§27-1707.1.B).
 - (3) Shopping center and multiple occupant business freestanding identification sign (§27-1707.2.B.1).

- B. I – Industrial District. In the I - Industrial District only an off-premises advertising sign or billboard (§27-1709) may be an electronic message sign.

☞ **ITEM 12 - Amend the *group home* listing in §27-401.2 to read as follows:**

- Group homes (§27-1218)

☞ **ITEM 13 - Amend §27-1412.3E to read as follows:**

- E. That the recipient of the notice has the right to appeal to the Zoning Hearing Board within a period of 30 days.

☞ ITEM 14 - Amend the Appendix Parking Demand Table to read as follows:

PARKING DEMAND (2014-12)					
Source: <u>Parking Generation, 4th Edition, ITE</u>					
NOTES:					
Average & 85th Percentile - where ITE provides data for a weekday, a Saturday, etc., the highest value is shown.					
85th Percentile - not provided in certain cases with a very limited number of studies; highest value of studies shown.					
Peak - provided in certain cases with a very limited number of studies; highest value of cited studies is shown.					
		Average	85th %	Peak	Per
000	Port and Terminal				
021	Commercial Airport	0.84	1.48		daily enplanement
093	Light Rail Transit Station with Parking	136.00	212.0		1,000 daily boardings
	Industrial	Average	85th %	Peak	Per
110	General Light Industrial	0.75	1.13		1,000 sq. ft. GFA
110	General Light Industrial	0.64	0.81		employee
130	Industrial Park	0.62	1.85		1,000 sq. ft. GFA
130	Industrial Park	0.89	0.98		employee
140	Manufacturing	1.02	1.18		1,000 sq. ft. GFA
140	Manufacturing	0.97	1.14		employee
150	Warehousing	0.51	0.81		1,000 sq. ft. GFA
150	Warehousing	0.78	1.01		employee
151	Mini-Warehouse	0.14	0.17		1,000 sq. ft. GFA
200	Residential - See §27-1004.6B				
	Lodging	Average	85th %	Peak	Per
310	Hotel	1.20	1.54		room
311	All Suites Hotel			1.30	room
312	Business Hotel	0.60	0.75		room
320	Motel	0.71	0.85		room
330	Resort Hotel	1.29	1.59		room
	Recreational	Average	85th %	Peak	Per
411	City Park			5.10	acre
414	Water Slide Park	72.90			acre
420	Marina	0.59			berth
430	Golf Course	8.68	9.83		hole
435	Multipurpose Recreational Facility	1.78			hole
435	Multipurpose Recreational Facility	10.67			1,000 sq. ft. GFA
435	Multipurpose Recreational Facility	16.00			acre
437	Bowling Alley	5.02	5.58		lane
438	Billiard Hall	6.56			1,000 sq. ft. GFA
438	Billiard Hall	2.89			billiard table
440	Adult Cabaret	5.90			1,000 sq. ft. GFA
441	Live Theater	0.38	0.39		attendee
441	Live Theater	0.25	0.32		seat
444	Movie Theater with Matinee	0.26	0.36		seat
445	Multiplex Movie Theater	0.15	0.20		seat
445	Multiplex Movie Theater	36.20	45.00		screen

400	Recreational	Average	85th %	Peak	Per
464	Roller Skating Rink	5.80			1,000 sq. ft. GFA
465	Ice Skating Rink	3.90			1,000 sq. ft. GFA
466	Snow Ski Area	1.31	1.62		acre of ski trails
466	Snow Ski Area	0.25	0.31		daily lift ticket
473	Casino/Video Lottery Establishment			35.34	1,000 sq. ft. GFA
473	Casino/Video Lottery Establishment			1.42	gaming position
481	Zoo			12.10	acre
488	Soccer Complex	56.3	69.30		field
490	Tennis Courts			3.16	tennis court
491	Racquet/Tennis Club	3.56	4.13		court
492	Health/Fitness Club	5.27	8.46		1,000 sq. ft. GFA
492	Health/Fitness Club	0.13	0.16		member
493	Athletic Club	3.55	4.94		1,000 sq. ft. GFA
493	Athletic Club	0.07	0.21		member
495	Recreational Community Center	3.20	5.03		1,000 sq. ft. GFA
500	Institutional	Average	85th %	Peak	Per
520	Elementary School	0.17	0.21		student
522	Middle School/Junior High School	0.09	0.10		student
525	School for the Blind			1.08	student
525	School for the Blind			1.47	employee
525	School for the Blind			2.67	1,000 sq. ft. GFA
530	High School	0.23	0.25		student
536	Private School (K-12)	0.39			student
540	Junior/Community College	0.18	0.20		school population
550	University/College	0.33	0.38		school population
560	Church	8.37	14.38		1,000 sq. ft. GFA
560	Church	0.20	0.25		seats
560	Church	0.45	0.60		attendee
561	Synagogue			0.41	attendee
562	Mosque	17.32	25.79		1,000 sq. ft. GFA
565	Day Care Center	3.16	3.70		1,000 sq. ft. GFA
565	Day Care Center	0.24	0.33		student
565	Day Care Center	1.38	1.78		employee
580	Museum	1.32	1.79		1,000 sq. ft. GFA
590	Library	2.61	4.19		1,000 sq. ft. GFA
595	Convention Center			0.44	attendee
600	Medical	Average	85th %	Peak	Per
610	Hospital	2.50	3.41		1,000 sq. ft. GFA
610	Hospital	4.49	7.35		bed
610	Hospital	0.81	1.08		employee
612	Surgery Center			5.67	operating room
620	Nursing Home	0.98	1.50		1,000 sq. ft. GFA
620	Nursing Home	0.35	0.48		bed
620	Nursing Home	0.88	1.51		employee
630	Clinic	4.94	4.96		1,000 sq. ft. GFA
640	Animal Hospital/Veterinary Clinic			1.60	1,000 sq. ft. GFA
640	Animal Hospital/Veterinary Clinic			1.40	employee

700	Office	Average	85th %	Peak	Per
701	Office Building	2.84	3.45		1,000 sq. ft. GFA
701	Office Building	0.83	0.98		employee
720	Medical-Dental Office Building	3.20	4.27		1,000 sq. ft. GFA
730	Government Office Building	4.15	6.13		1,000 sq. ft. GFA
730	Government Office Building	0.83	1.01		employee
732	United States Post Office			33.20	1,000 sq. ft. GFA
732	United States Post Office			2.01	employee
735	Judicial Complex			4.10	1,000 sq. ft. GFA
735	Judicial Complex			0.80	employee
800	Retail	Average	85th %	Peak	Per
812	Building Materials and Lumber Store			1.69	1,000 sq. ft. GFA
813	Free-Standing Discount Superstore	4.49	5.54		1,000 sq. ft. GFA
816	Hardware/Paint Store			2.87	1,000 sq. ft. GFA
820	Shopping Center	4.67	5.91		1,000 sq. ft. GFA
843	Automobile Parts Sales	2.25	2.74		1,000 sq. ft. GFA
845	Motocycle Dealership			2.97	1,000 sq. ft. GFA
848	Tire Store			4.17	1,000 sq. ft. GFA
850	Supermarket	3.78	5.05		1,000 sq. ft. GFA
851	Convenience Market (Open 24 Hours)	3.11	3.79		1,000 sq. ft. GFA
853	Convenience Market With Gasoline Pumps	8.38	10.50		1,000 sq. ft. GFA
854	Discount Supermarket			5.80	1,000 sq. ft. GFA
857	Discount Club	2.90	3.93		1,000 sq. ft. GFA
859	Liquor Store			2.98	1,000 sq. ft. GFA
861	Sporting Goods Superstore	1.78	2.40		1,000 sq. ft. GFA
862	Home Improvement Superstore	3.19	4.34		1,000 sq. ft. GFA
863	Electronics Superstore			3.03	1,000 sq. ft. GFA
864	Toy/Children's Superstore	1.94			1,000 sq. ft. GFA
866	Pet Supply Superstore			1.17	1,000 sq. ft. GFA
867	Office Superstore			0.61	1,000 sq. ft. GFA
868	Book Superstore			0.89	1,000 sq. ft. GFA
876	Apparel Store			17.02	1,000 sq. ft. GFA
880	Pharmacy/Drugstore without Drive-Through Window	2.94	3.74		1,000 sq. ft. GFA
880	Pharmacy/Drugstore without Drive-Through Window	3.73	5.10		employee
881	Pharmacy/Drugstore with Drive-Through Window	2.18	2.94		1,000 sq. ft. GFA
881	Pharmacy/Drugstore with Drive-Through Window	1.63	2.20		employee
890	Furniture Store	1.04	1.34		1,000 sq. ft. GFA
890	Furniture Store	1.73	2.16		employee
892	Carpet Store	1.79	3.00		1,000 sq. ft. GFA
892	Carpet Store	2.27	3.20		employee
896	Video Rental Store	2.41	2.76		1,000 sq. ft. GFA

900	Services	Average	85th %	Peak	Per
912	Drive-in Bank	4.00	5.67		1,000 sq. ft. GFA
920	Copy, Print and Express Ship Store			3.00	1,000 sq. ft. GFA
931	Quality Resturant	16.40	22.70		1,000 sq. ft. GFA
931	Quality Resturant	0.47	0.67		1,000 sq. ft. GFA
932	High-Turnover (Sit-Down) Resturant (No Bar or Lounge)	13.50	20.60		1,000 sq. ft. GFA
932	High-Turnover (Sit-Down) Resturant (With Bar or Lounge)	16.30	20.40		1,000 sq. ft. GFA
932	High-Turnover (Sit-Down) Resturant (No Bar or Lounge)	0.35	0.54		seat
932	High-Turnover (Sit-Down) Resturant (With Bar or Lounge)	0.48	0.73		seat
933	Fast-Food Resturant without Drive-Through Window	12.40	14.50		1,000 sq. ft. GFA
933	Fast-Food Resturant without Drive-Through Window	0.52	0.77		seat
934	Fast-Food Resturant with Drive-Through Window	9.98	15.13		1,000 sq. ft. GFA
934	Fast-Food Resturant with Drive-Through Window	0.35	0.64		seat
936	Coffee/Donut Shop without Drive-Through Window	13.56	17.33		1,000 sq. ft. GFA
937	Coffee/Donut Shop with Drive-Through Window	10.40	18.97		1,000 sq. ft. GFA
939	Bread/Donut/Bagel Shop without Drive-Through Window			9.78	1,000 sq. ft. GFA
940	Bread/Donut/Bagel Shop with Drive-Through Window			4.50	1,000 sq. ft. GFA
945	Gasoline/Service Station with Convenience Market	0.75	1.03		fueling position
960	Dry Cleaners	1.40	2.44		1,000 sq. ft. GFA

REPEALER

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

SEVERABILITY

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

ADOPTION


ENACTED AND ORDAINED into law by the Board of Supervisors of Jackson Township, Monroe County, Pennsylvania, this 23rd Day of April of 2015 to be effective five (5) days following adoption.




 Donald Kresge, Sr., Chairman



 David Thomas, Vice Chairman



 Mark Major, Supervisor

ATTEST: 
 Jacqueline Elliott, Secretary

