

ORDINANCE NO. _____

JACKSON TOWNSHIP, CAMBRIA COUNTY

AN ORDINANCE OF THE TOWNSHIP OF JACKSON AMENDING SECTIONS OF THE JACKSON TOWNSHIP ZONING ORDINANCE AS FOLLOWS:

405B, to require site plan approval for non residential uses in the Industrial District.

407, permitting customary accessory buildings to be built on lots of record not meeting minimum size requirements.

408, to permit a solid fence six feet high within one foot of the property line.

409, correcting typographic error.

501 (3), authorizing a reduction in setbacks in the R-1 Zone.

502 (3), authorizing a reduction in setbacks in the R-2 Zone.

503, adding accessory uses permitted in the R-1 Zone and authorizing a reduction in setbacks and changing the word "structure" to "building".

504, adding accessory uses permitted in the R-1 Zone and authorizing a reduction in setbacks.

506, permitting telecommunications towers in the Agricultural District by special exception and authorizing a reduction in setbacks.

507, correcting a typographic error.

509.604, correcting typographic error.

509.802, correcting typographic error.

701, exempting temporary signs from building permit requirements.

702, deleting extraneous language.

704, requiring billboards adjacent to limited access highways to be located in accordance with PADOT regulations.

WHEREAS, the Jackson Township Zoning Officer has, in carrying out the provisions of the Jackson Township Zoning Ordinance, identified areas in the Zoning Ordinance requiring clarification or correction and other areas, where rule could be loosened so as to better accomplish the purposes of the Ordinance; and

WHEREAS, after consultation with the Jackson Township Zoning Officer, the Jackson Township Planning Commission has identified the following Amendments to the Zoning Ordinance, which it requests be reviewed by the Cambria County Planning Commission and be made subject to public hearings and comment as provided for in the Municipalities Planning Code; and

WHEREAS, the Jackson Township Supervisors, after consultation with the Township and Planning Commission and Cambria County Planning Commission and after having received

the benefit of public comment on the same at a public meeting held the ____ day of _____, 2004, and a public hearing held on _____, 2004, have determined that certain sections of the Jackson Township Zoning Ordinance should be amended to provide for orderly development, protection of property values, and to provide for the common good and safety of all Township residents.

NOW THEREFORE, Be It Ordained and Enacted that the Jackson Township Zoning Ordinance is hereby amended as follows:

SECTION 1- AMENDING SECTION 405

The following portion of the Jackson Township Zoning Ordinance, Section 405 B, is hereby amended so that the identified section now provides as set forth hereinafter;

SECTION 405 - USES REQUIRING SITE PLAN AND/OR SITE APPROVAL

...

B. Use of Property Other than One and Two-Family Dwellings, to provide:

In addition to the above requirements, uses of all property in R2, C and I Districts other than one and two-family dwellings, shall in addition to conforming to any and all regulations pertaining thereto that are specifically set forth in this Ordinance, be in accordance with a site plan approved by the Planning Commission. In addition, all public or semi-public buildings, all subdivision plans, and special exceptions shall be in accordance with a site plan approved by the Planning Commission and Zoning Hearing Board, as is necessary in cases where exceptions are granted. The site plan shall show in addition to any specific requirements set forth in the district regulations herein, the following:

...

SECTION 2 - AMENDING SECTION 407

The following portion of the Jackson Township Zoning Ordinance, Section 407, is hereby amended so that the identified section now provides as set forth hereinafter;

SECTION 407 - LOTS OF RECORD NOT MEETING LOT AREA REQUIREMENTS

“A one-family dwelling and customary accessory buildings may be erected upon a lot on an approved plan of record, which lot has insufficient area and dimensions to meet the lot area and setback requirements, provided said lot, on the effective date of this Ordinance, was held lawfully under separate ownership from the adjoining lots, and provided that all other provisions of this Ordinance can be met and a site plan as provided under Article IV Section 405 is approved by the Planning Commission.”

SECTION 3 - AMENDING SECTION 408

The following portion of the Jackson Township Zoning Ordinance, Section 408, is hereby amended so that the identified section now provides as set forth hereinafter:

A solid fence or wall must meet a minimum one foot (1') setback and shall not exceed six (6) feet in height.

SECTION 4 - AMENDING SECTION 409.503

The following portion of the Jackson Township Zoning Ordinance, Section 409.503, is hereby amended so that the identified section now provides as set forth hereinafter:

SECTION 409.503 Outdoor Storage Control (Industrial and Commercial Only)
to provide:

...

2. All outdoor storage facilities for fuel, raw materials and finished products, including those permitted in Section 1 above, except raw or processed coal, shall be enclosed by a fence of a type, construction and size as shall be adequate to protect and conceal the facilities from any adjacent properties. All National Office of Safety and Health Administration (O.S.H.A.) regulations shall be met.

SECTION 5 - AMENDING SECTION 409.802

The following portion of the Jackson Township Zoning Ordinance, Section 409.802, is hereby amended so that the identified section now provides as set forth hereinafter:

SECTION 409.802 Sketch Plan Review Procedure

1. The Applicant may submit an optional Sketch Site Plan, containing less information than required by Section 409.803, for unofficial review by the Township. The Applicant's Sketch Plan shall meet the requirements for a Sketch Plan as defined in the Jackson Township Subdivision and Land Development Ordinance.

SECTION 6 - AMENDING SECTION 501

The following portion of the Jackson Township Zoning Ordinance, Section 501, is hereby amended so that the identified section now provides as set forth hereinafter:

SECTION 501 - R1 ONE-FAMILY RESIDENTIAL DISTRICT

...

3. Exception

Where more than fifty percent (50%) of the lots within a block contain existing structures, the front yard setback may be reduced to conform to the setback lines of the existing structures. Front yard, side yard, and rear yard setbacks may be reduced to conform to the existing on-lot building lines where Section 402 and the definitions for yard, front, side and rear are found applicable.

SECTION 7 - AMENDING SECTION 502

The following portion of the Jackson Township Zoning Ordinance, Section 502, is hereby amended so that the identified section now provides as set forth hereinafter:

SECTION 502 - "R-2" RESIDENTIAL

...

3. Exception

Where more than fifty percent (50%) of the lots within a block contain existing structures, the setback may be reduced to conform to the setback lines of the existing structures. Front yard, side yard, and rear yard setbacks may be reduced to conform to the existing on-lot building lines where Section 402 and the definition for yard, front, side, rear are found applicable.

SECTION 8 - AMENDING SECTION 503

The following portion of the Jackson Township Zoning Ordinance, Section 503, is hereby amended so that the identified section now provides as set forth hereinafter:

SECTION 503 - "C" COMMERCIAL DISTRICT

2. Accessory Uses

Accessory uses customarily incidental to any of the above uses, and including:

1. Off-street parking and loading facilities, as regulated in this Ordinance.
2. Fence or a metal wall not over six (6) feet in height.
3. Signs as regulated in this Ordinance.
4. Cultivation of plants, non-commercial, where used for landscaping or buffer areas.
5. As permitted in R1 District.

And amend SECTION 503 subsection D. Setback, to provide:

2. Where a commercial structure is proposed adjacent to a residential area, the following setback specification will be met:

- a. Front - thirty (30) feet.
- b. Side - twenty-five (25) feet.
- c. Rear - fifty (50) feet.
- d. Buffer Area - Ten (10) feet, which includes landscaping, abutting R District.

Note: Buffer area is located within setback dimensions.

3. Exception

Where more than fifty percent (50%) of the lots within a block contain existing structures, the setback may be reduced to conform to the setback lines of the existing structures. Front yard, side yard, and rear yard setbacks may be reduced to conform to the existing on-lot building lines where Section 402 and the definitions for yard—front, side, rear are found applicable.

And amend subsection F. Lot Area to provide:

2. Floor Area Standards

Every one-story building hereafter erected or altered shall have a total floor area of not less than one thousand (1,000) square feet.

SECTION 9 - AMENDING SECTION 504 - "I" INDUSTRIAL DISTRICT

The following portion of the Jackson Township Zoning Ordinance, Section 504, is hereby amended so that the identified section now provides as set forth hereinafter:

B. Accessory Uses

1. A single mobile home used as a dwelling for a watchman of an industry on same site provided lot size is two (2) acres or more and mobile home is connected to public water and either public sewers or approved on-lot system. The minimum floor area shall be four hundred (400) square feet and shall not exceed seven hundred (700) square feet.
2. Accessory use of building customarily incidental to the above uses and as regulated by this Ordinance.
3. As Permitted in R-1 District

And also amend subsection E. Setback to provide:

No building or structure shall be erected or enlarged unless the minimum yard area and setback are provided as follows:

1. Front Yard - seventy-five (75) feet.
2. Side - twenty-five (25) feet
3. Rear - fifty (50) feet
4. Exception

Where more than fifty percent (50%) of the lots within a block contain existing structures, the setback may be reduced to conform to the setback lines of the existing structures. Front yard, side yard, and rear yard setbacks may be reduced to conform to the existing on-lot building lines where Section 402 and the definitions for yard, front, side, rear are found applicable.

If proposed structure is to be adjacent to a Residential District, a buffer area of ten (10) feet shall be added to the aforementioned setback adjacent to that Residential District.

For construction of a new structure adjacent to a railroad, no setback standards are required.

SECTION 10 - AMENDING SECTION 506 - "A" AGRICULTURAL DISTRICT

The following portion of the Jackson Township Zoning Ordinance, Section 506, is hereby amended so that the identified section now provides as set forth hereinafter:

C. Uses by Special Exception

1. Home Occupations as permitted in Section 905.2. Telecommunications Towers and Antennas.

D. Non-Permitted Uses

Based upon the consideration of the following factors, including, but not limited to, prevailing wind, topography, paths of odors during thermal inversion, obstructions in the path of exhausted air, visibility of the operation, special protection waters, water resources, soils suitability, local and regional transportation infrastructure, areas for application of manure, agricultural security areas, and effect/affect on adjoining lands/people, and as a result of the extensive undermining of the township by the bituminous mining industry, the offensive odors/noxious fumes and/or noise emitted and/or generated by certain processes, operations and/or businesses, and the desire of the township to protect the health, safety and welfare of the residents of the

township through community planning efforts, the following Uses are determined to be Non-Permitted Uses in this District:

1. Surface Mining
2. Mobile Home Parks
3. Commercial Uses
4. Industrial Uses.
5. See also Section 410-General Conditions

And also amend subsection E. Setback to provide:

1. Single Family Dwellings and Accessory Uses - Setbacks as permitted in R-1 District.
2. Non-Residential Uses - All Setbacks - 50 feet
3. Exception
Where more than fifty percent (50%) of the lots within a block contain existing structures, the setback may be reduced to conform to the setback lines of the existing structures. Front yard, side yard, and rear yard setbacks may be reduced to conform to the existing on-lot building lines where Section 402 and the definitions for yard—front, side, rear are found applicable.

SECTION 11 - AMENDING SECTION 507 - “S” CONSERVANCY DISTRICT:

The following portion of the Jackson Township Zoning Ordinance, Section 507, is hereby amended so that the identified section now provides as set forth hereinafter:

I. Dwelling Standards

As permitted in R-1 One-Family Residential District.

SECTION 12 - AMENDING SECTION 509.600 - SPECIAL REQUIREMENTS FOR CONDITIONAL USES IN SCD ZONING DISTRICT

The following portion of the Jackson Township Zoning Ordinance, Section 509.600, is hereby amended so that the identified section now provides as set forth hereinafter:

509.604. Requirements for Projects Having a Major Traffic Impact

- B. All such projects shall have direct access to an Arterial Road or to a Collector Road in the Township as identified in the Comprehensive Plan. In lieu of such access, the development shall provide a project road or upgrade an existing road (subject to PennDot approval pertaining to State roads and Township

Supervisors for Township roads) which is capable of handling the level of traffic to be generated and which is proposed for development by the developer to Collector Road Standards, as set forth in the Township Subdivision and Land Development Ordinance, for the project site to the closest existing Collector, Connector or Arterial Road.

SECTION 13 - AMENDING SECTION 509.800 - SITE PLAN REVIEW PROCEDURE

The following portion of the Jackson Township Zoning Ordinance, Section 509.800, is hereby amended so that the identified section now provides as set forth hereinafter:

The applicant may submit an optional Sketch Site Plan, containing less information than required by Section 509.803 for unofficial review by the Township. The Applicant's Sketch Plan shall meet the requirements for a Sketch Plan as defined in the Jackson Township Subdivision and Land Development Ordinance.

SECTION 14 - AMENDING ARTICLE VII - SIGNS SECTION 701 - GENERAL PROVISIONS

The following portion of the Jackson Township Zoning Ordinance, Section 701, is hereby amended so that the identified section now provides as set forth hereinafter:

Any permanent sign erected or altered after the effective date of this Ordinance shall be in accordance with the provisions and regulations contained in this Article.

- A. A building permit shall be required for any permanent sign erected. Temporary signs such as garage sales, political signs, property postings, and realtor signs, but not limited to these examples, are exempt.

SECTION 15 - AMENDING SECTION 702 - PROVISIONS FOR R-1, R-2, and A DISTRICTS

The following portion of the Jackson Township Zoning Ordinance, Section 702, is hereby amended so that the identified section now provides as set forth hereinafter:

- A. All signs erected in a residential zone shall be on premise signs and refer, advertise, or direct attention only to activities conducted on the site, except that a temporary directional sign may be erected for special events, if prior approval is granted by the owner of property on which the sign is to be erected.

And also amend subsection D, to provide:

- D. One (1) identification sign for motels, office buildings, churches, schools, restaurants, mobile home parks, funeral homes and other places of business permitted in respective residential zones provided that such signs shall not exceed an area of thirty-two (32) square feet and are set back a minimum distance of fifteen (15) feet from the nearest property line.

SECTION 16 - AMENDING SECTION 704 - SIGNS PERMITTED BEHIND THE SETBACK LINES OF A COMMERCIAL ZONE

The following portion of the Jackson Township Zoning Ordinance, Section 704, is hereby amended so that the identified section now provides as set forth hereinafter:

- 5. As per state regulations for Routes 22 and 271.

ENACTED AND ORDAINED the _____ day of _____, 2004.

JACKSON TOWNSHIP SUPERVISORS

Chairman

Supervisor

Supervisor

ATTEST:

Secretary

(Seal)