

**DENNISON TOWNSHIP**  
**ORDINANCE NO. \_\_\_\_\_ OF 2016**

AN ORDINANCE AMENDING THE DENNISON TOWNSHIP ZONING ORDINANCE OF SEPTEMBER 2, 2015.

**SECTION 1**

ARTICLE 2, DEFINITIONS, SECTION 202 DEFINITION, IS HEREBY AMENDED TO INCLUDE THE FOLLOWING TERMS:

ANIMAL: Any living creature other than hominids. Unless indicated otherwise, the term shall include livestock, fowl, reptiles, amphibians, and wildlife, as well as dogs, cats and other creatures commonly owned as pets.

ANIMAL STRUCTURE: this term shall include pens, coops, yards, runs were similar structures utilized for animals kept upon a property.

FOWL: This term shall include all birds, e.g., chickens, turkeys, pheasants, pigeons, quail, guineas, geese, ducks, peafowl, and other domestic feathered creatures and nondomestic feathered creatures regardless of age or sex.

LIVESTOCK: This term shall include, regardless of age, sex or breed, horses and all equine species, including mules, donkeys, and jackasses; cows and all bovine species; sheep and all ovine species; lammas; goats and all caprine species; and pigs and all swine species.

LIVESTOCK/FOWL STRUCTURE OR ENCLOSURE: This term shall include structures or enclosed open areas intended to be used to house or to keep livestock or fowl.

**SECTION 2**

ARTICLE 2, DEFINITIONS, SECTION 202, DEFINITION, shall amend the following term as follows:

AGRICULTURE: The use of land for agricultural purposes, including farming, dairying, pasturage, horticulture, floriculture, viticulture and animal and poultry husbandry and the necessary accessory uses for farm homes and packing, treating or storing the product; provided, however, that the operation of any accessory uses shall be secondary to that of normal agricultural activities and provided further that the above uses shall not include commercial hog farms, fur farms, fertilizer plants or animal kennels

IS HEREBY AMENDED TO READ AS FOLLOWS:

AGRICULTURE: The use of land for agricultural purposes, including farming, dairying, pasturage, horticulture, floriculture, viticulture and animal and poultry husbandry and the necessary accessory uses for farm homes and packing, treating or storing the product; provided, however, that the operation of any accessory uses shall be secondary to that of normal agricultural activities and provided further that the above uses shall not include any form of commercial fowl

or livestock operations

### **SECTION 3**

ARTICLE 3, GENERAL REGULATIONS IS HEREBY AMENDED TO INCLUDE THE FOLLOWING SECTIONS

#### **SECTION 326**      **REGULATION FOR KEEPING OF LIVESTOCK OR FOWL**

The keeping of livestock and/or fowl shall only be allowed within an R-A or C-1 Zoning District. The following supplemental regulations shall apply to properties upon which livestock are intended to be kept:

ZONING REGULATION	FOWL	LIVESTOCK EXCEPT SWINE	SWINE
PERMITTED ZONING DISTRICT	RA, C-1	RA, C-1	RA, C-1
MINIMUM LOT SIZE	NONE	5 ACRES	5 ACRES
SETBACK FOR ANIMAL STRUCTURES	100 FEET	100 FEET	300 FEET
SETBACK; RUN, FENCING , PASTURE	NONE	NONE	300 FEET

#### **SECTION 327**      **ANIMAL STRUCTURES**

“Animal Structures” as so defined within this Ordinance shall comply with the following:

- a. Be constructed in a manner so as to be easily cleaned and remain in good repair.
- b. Shall be maintained and kept with all areas in a sanitary condition.
- c. All animal wastes shall be disposed of properly and shall be cleaned as needed to prevent unpleasant odors, and not to draw insects or other vermin or create a nuisance. Burning of animal waste or bedding shall be prohibited.

For additional Township regulations on Animal Control, please refer to the most recent version of the Dennison Township Animal Control Ordinance.

### **SECTION 4**

ARTICLE 3, GENERAL REGULATIONS, SECTION 310, PRIVATE NONCOMMERCIAL SWIMMING POOLS WHICH CURRENTLY READS AS FOLLOWS:

#### **SECTION 310**   **PRIVATE NONCOMMERCIAL SWIMMING POOLS**

A private noncommercial swimming pool capable of containing water to a depth of eighteen (18) inches or greater shall be permitted as an accessory use in any zone subject to the following:

##### **310.1**   **Yard Area and Setback Requirements**

A private swimming pool shall be located in either a side yard or rear yard. with a minimum side

yard and rear yard setback of ten (10) feet as measured from the water's edge.

### 310.2 In-Ground Pools

The pool or the entire property on which the pool is located, shall be enclosed with a permanent fence not less than four (4) feet in height, which includes a gate secured with a lock. The required fencing for an in ground pool must be installed upon the completion of the excavation work for said pool.

### 310.3 Above Ground Pools

#### A. Pools With Exterior Supports

An above ground pool which is manufactured, designed and erected with supporting devices around and/or within the outer wall or edge of a pool shall be enclosed with a permanent fence not less than four (4) feet in height which includes a gate secured with a lock in accordance with the above requirements of Section 310.2 or in lieu of a fence, a barrier not less than four (4) feet in height. Said barrier may include the pool wall and any extension thereto which equals or exceeds a height of four (4) feet. Access into a pool which includes a deck shall be secured by a gate with a lock. Pools without access from a deck, shall include retractable steps or any similar device which prohibits or fowl uncontrolled access into the pool when not in use. Shrubbery is not to be considered as a barrier. Decks which are attached to the pool shall require a side yard and/or rear yard setback of not less than five (5) feet.

#### B. Inflatable Pools without Exterior Supports

An above ground pool which may be inflated and used without supporting devices around and/or within the outer wall or edge of a pool shall be enclosed with a permanent fence not less than four (4) feet in height which includes a gate secured with a lock in accordance with the above requirements of Section 309.2

IS HEREBY AMENDED TO READ:

### SECTION 310 PRIVATE NONCOMMERCIAL SWIMMING POOLS

A private noncommercial swimming pool capable of containing water to a depth of eighteen (18) inches or greater shall be permitted as an accessory use in any zone subject to the following:

#### 310.1 In-Ground Pools

The pool or the entire property on which the pool is located, shall be enclosed with a permanent fence not less than four (4) feet in height, which includes a gate secured with a lock. The required fencing for an in ground pool must be installed upon the completion of the excavation work for said pool.

#### 310.2 Above Ground Pools

##### A. Pools With Exterior Supports

An above ground pool which is manufactured, designed and erected with supporting devices around and/or within the outer wall or edge of a pool shall be enclosed with a permanent fence not less than four (4) feet in height which includes a gate secured with a lock in accordance with the above requirements of Section 310.1 or in lieu of a fence, a barrier not less than four (4) feet in height. Said barrier may include the pool wall and any extension thereto which equals or exceeds a height of four (4) feet. Access into a pool which includes a deck shall be secured by a gate with a lock. Pools without access from a deck, shall include retractable steps or any similar device which prohibits uncontrolled access into the pool when not in use. Shrubbery is not to be considered as a barrier.

**B. Inflatable Pools without Exterior Supports**

An above ground pool which may be inflated and used without supporting devices around and/or within the outer wall or edge of a pool shall be enclosed with a permanent fence not less than four (4) feet in height which includes a gate secured with a lock in accordance with the above requirements of Section 309.1

**SECTION 5**

ARTICLE 5, ZONING DISTRICT REGULATIONS, SECTION 501, ZONING DISTRICT DIMENSIONAL REGULATIONS WHICH CURRENTLY READS AS FOLLOWS:

**SECTION 501      ZONING DISTRICT DIMENSIONAL REGULATIONS.**

Except as otherwise provided in this Ordinance or by state or local law or regulation, each building, structure and use shall be governed by the dimensional regulations listed in the following Table:

**AREA, BULK AND DENSITY TABLE**

	MINIMUM					MAXIMUM	
ZONING DISTRICT	LOT SIZE Acres	WIDTH feet	FRONT YARD SETBACK feet	REAR YARD SETBACK feet	SIDE YARD SETBACK feet per side	LOT COVERAGE	BLDG. HEIGHT
R-A	2 Acres	150	50	25	25	7%	2½ Stories or 35 feet
R-1	1 Acre	150	40	20	20	7%	2½ Stories or 35 feet
R-2	1 Acre	150	40	20	20	7%	2½ Stories or 35 feet
B-1	2 Acres	150	50	25	25	20%	2½ Stories or
MU	2 Acres	150	50	25	25	20%	2½ Stories or 35 feet

<b>C-1</b>	<b>10 Acres</b>	<b>200</b>	<b>50</b>	<b>25</b>	<b>25</b>	<b>7%</b>	2½ Stories or 35 feet
<b>I-1</b>	<b>5 Acres</b>	<b>200</b>	<b>150</b>	<b>75</b>	<b>75</b>	<b>20%</b>	3 Stories or 40 feet

IS HEREBY AMENDED TO READ:

**SECTION 501**      **ZONING DISTRICT DIMENSIONAL REGULATIONS.**

Except as otherwise provided in this Ordinance or by state or local law or regulation, each building, structure and use shall be governed by the dimensional regulations listed in the following Table:

**AREA, BULK AND DENSITY TABLE**

	MINIMUM					MAXIMUM	
<b>ZONING DISTRICT</b>	<b>LOT SIZE Acres</b>	<b>WIDTH feet</b>	<b>FRONT YARD SETBACK feet</b>	<b>REAR YARD SETBACK feet</b>	<b>SIDE YARD SETBACK feet per side</b>	<b>LOT COVERAGE</b>	<b>BLDG. HEIGHT</b>
<b>R-A</b>	<b>2 Acres</b>	<b>150</b>	<b>50</b>	<b>25</b>	<b>25</b>	<b>7%</b>	2½ Stories or 35 feet
<b>R-1</b>	<b>1 Acre</b>	<b>150</b>	<b>40</b>	<b>20</b>	<b>20</b>	<b>7%</b>	2½ Stories or 35 feet
<b>R-2</b>	<b>1 Acre</b>	<b>150</b>	<b>35</b>	<b>35</b>	<b>15</b>	<b>30%</b>	2½ Stories or 35 feet
<b>B-1</b>	<b>2 Acres</b>	<b>150</b>	<b>50</b>	<b>25</b>	<b>25</b>	<b>20%</b>	2½ Stories or 35 feet
<b>MU</b>	<b>2 Acres</b>	<b>150</b>	<b>50</b>	<b>25</b>	<b>25</b>	<b>20%</b>	2½ Stories or 35 feet
<b>C-1</b>	<b>10 Acres</b>	<b>200</b>	<b>50</b>	<b>25</b>	<b>25</b>	<b>7%</b>	2½ Stories or 35 feet
<b>I-1</b>	<b>5 Acres</b>	<b>200</b>	<b>150</b>	<b>75</b>	<b>75</b>	<b>20%</b>	3 Stories or 40 feet

**SECTION 6**

ARTICLE 10, SIGNS, SECTION 1005.6, ON-SITE DIRECTIONAL SIGN WHICH CURRENTLY READS AS FOLLOWS:

**1005.6**      **ON-SITE DIRECTIONAL SIGN**

An on-site directional and/or informational sign shall not exceed six (6) square feet in area. A front, rear or side yard setback of not less than five (5') feet shall be required for such signs. Such signs shall comply with the line of sight distance as provided for under Section

316 of this Ordinance. The maximum height of such signs shall not exceed six (6') feet. Not more than one sign shall be permitted for a business.

IS HEREBY AMENDED TO READ:

1005.6                    ON-SITE DIRECTIONAL SIGN

An on-site directional and/or informational sign shall not exceed two (2) square feet in area. A front, rear or side yard setback of not less than five (5') feet shall be required for such signs. Such signs shall comply with the line of sight distance as provided for under Section 316 of this Ordinance. The maximum height of such signs shall not exceed six (6') feet. Handicapped parking signs shall be included within this classification of signs.

**SECTION 7**

ARTICLE 4, SECTION 404, CLASSES OF ZONING DISTRICT which currently reads as follows  
SECTION 404   CLASSES OF ZONING DISTRICTS

For the purpose of this Ordinance, Dennison Township is hereby divided into Zoning Districts as designated below:

R-A	RURAL AGRICULTURAL DISTRICT
R-1	SINGLE RESIDENTIAL DISTRICT
R-2	MODERATE DENSITY RESIDENTIAL DISTRICT
B-1	BUSINESS DISTRICT
MU	MIXED USE DISTRICT
C-1	CONSERVATION DISTRICT
I-1	INDUSTRIAL DISTRICT

IS HEREBY AMENDED TO READ:

R-A	RURAL AGRICULTURAL DISTRICT
R-R	RURAL RESIDENTIAL DISTRICT
R-1	SINGLE RESIDENTIAL DISTRICT
R-2	MODERATE DENSITY RESIDENTIAL DISTRICT
B-1	BUSINESS DISTRICT
MU	MIXED USE DISTRICT
C-1	CONSERVATION DISTRICT
I-1	INDUSTRIAL DISTRICT

**SECTION 8**

ARTICLE 5, SECTION 501 ZONING DISTRICT DIMENSIONAL REGULATIONS which currently reads as follows

Except as otherwise provided in this Ordinance or by state or local law or regulation, each building, structure and use shall be governed by the dimensional regulations listed in the following Table:

**AREA, BULK AND DENSITY TABLE**

	MINIMUM					MAXIMUM	
ZONING DISTRICT	LOT SIZE Acres	WIDTH feet	FRONT YARD SETBACK feet	REAR YARD SETBACK feet	SIDE YARD SETBACK feet per side	LOT COVERAGE	BLDG. HEIGHT
R-A	2 Acres	150	50	25	25	7%	2½ Stories or 35 feet
R-1	1 Acre	150	40	20	20	7%	2½ Stories or 35 feet
R-2	1 Acre	150	40	20	20	7%	2½ Stories or 35 feet
B-1	2 Acres	150	50	25	25	20%	2½ Stories or 35 feet
MU	2 Acres	150	50	25	25	20%	2½ Stories or 35 feet
C-1	10 Acres	200	50	25	25	7%	2½ Stories or 35 feet
I-1	5 Acres	200	150	75	75	20%	3 Stories or 40 feet

If any article, section, subsection, paragraph, sentence or phrase of this Ordinance is for Any reason declared to be invalid, illegal or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any other part thereof.

IS HEREBY AMENDED TO READ AS FOLLOWS:

**AREA, BULK AND DENSITY TABLE**

	MINIMUM					MAXIMUM	
ZONING DISTRICT	LOT SIZE Acres	WIDTH feet	FRONT YARD SETBACK feet	REAR YARD SETBACK feet	SIDE YARD SETBACK feet per side	LOT COVERAGE	BLDG. HEIGHT
R-A	2 Acres	150	50	25	25	7%	2½ Stories or 35 feet
R-R	2 Acres	150	50	25	25	7%	2½ Stories or 35 feet
R-1	1 Acre	150	40	20	20	7%	2½ Stories or 35 feet
R-2	1 Acre	150	35	35	15	30%	2½ Stories or 35 feet

<b>B-1</b>	<b>2 Acres</b>	<b>150</b>	<b>50</b>	<b>25</b>	<b>25</b>	<b>20%</b>	2 <sup>1</sup> / <sub>2</sub> Stories or 35 feet
<b>MU</b>	<b>2 Acres</b>	<b>150</b>	<b>50</b>	<b>25</b>	<b>25</b>	<b>20%</b>	2 <sup>1</sup> / <sub>2</sub> Stories or 35 feet
<b>C-1</b>	<b>10 Acres</b>	<b>200</b>	<b>50</b>	<b>25</b>	<b>25</b>	<b>7%</b>	2 <sup>1</sup> / <sub>2</sub> Stories or 35 feet
<b>I-1</b>	<b>5 Acres</b>	<b>200</b>	<b>150</b>	<b>75</b>	<b>75</b>	<b>20%</b>	3 Stories or 40 feet

If any article, section, subsection, paragraph, sentence or phrase of this Ordinance is for Any reason declared to be invalid, illegal or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any other part thereof.

## **SECTION 9**

SECTION 502 PERMITTED USES, CONDITIONAL USES, SPECIAL EXCEPTION USES AND NON-PERMITTED USES, is hereby amended to include the following uses in the R-R District.

ATTACHED HERETO AS EXHIBIT A AND MADE A PART HEREOF.

## **SECTION 10**

### ARTICLE 4, SECTION 401, OFFICIAL ZONING MAP

Dennison Township is hereby divided into zoning districts, as shown on the Official Zoning Map, which together with all explanatory matter thereon, is hereby adopted by reference and declared to be part of this Ordinance, together with all future notations, references and amendments.

In accordance with the above provision certain lands within the Ramblewood Subdivision including all properties having frontage upon Ramblewood Drive and Fawn Ridge Road and certain properties which were part of the Ramblewood Subdivision located on the westerly side of Tunnel Road and, the southerly side of Barry Road are hereby rezoned from R-A to R-R as further illustrated upon the attached map noted as Exhibit B, attached hereto and made a part hereof

## **SECTION 11**

All other ordinances, or parts thereof, which are in conflict with the provisions of this Ordinance, are hereby repealed to the extent of such conflict

## **SECTION 12**

This Ordinance shall become effective five (5) days from the date of its approval and adoption as provided by law.



ENACTED AND ORDAINED BY THE BOARD OF SUPERVISORS OF  
DENNISON TOWNSHIP, LUZERNE COUNTY, PENNSYLVANIA, THIS  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
VICE- CHAIRMAN

\_\_\_\_\_  
SUPERVISOR

ATTEST:

\_\_\_\_\_  
TOWNSHIP SECRETARY

# EXHIBIT A

## SECTION 502 – ZONING DISTRICTS

# SECTION 502 - ZONING DISTRICTS

R-A	RURAL AGRICULTURAL DISTRICT
R-R	RURAL RESIDENTIAL
R-1	SINGLE RESIDENTIAL DISTRICT
R-2	MODERATE DENSITY RESIDENTIAL DISTRICT
B-1	BUSINESS DISTRICT
MU	MIXED USE DISTRICT
C-1	CONSERVATION DISTRICT
I-1	INDUSTRIAL DISTRICT

## DENNISON TOWNSHIP USE TABLE

### ZONING DISTRICTS

TYPES OF LAND USES								
RESIDENTIAL USES	R-A	R-R	R-1	R-2	B-1	MU	C-1	I-1
Single-Family Dwelling Units	P	P	P	P	N	P	P	N
Two-Family Dwelling Units	P	P	N	P	N	P	N	N
Multi Family Dwelling Units	N	N	N	N	N	P	N	N
Townhouses	N	N	N	P	N	P	N	N
Group Home	N	N	N	N	N	P	N	N
Mobile Home	P	N	P	P	N	P	P	N
Boarding House	N	N	N	N	N	P	N	N
Bed and Breakfast	N	N	N	N	N	P	N	N
Personal-Care Home	N	N	N	N	N	P	N	N
Lodge	N	N	N	N	N	P	P	N
No Impact Home Based Business	P	P	P	P	P	P	P	P
Home Office	P	P	P	P	P	P	P	P
Home Occupation	SE	SE	SE	SE	SE	SE	SE	SE
Mobile Home Parks	N	N	N	C	N	N	N	N
NONRESIDENTIAL USES	R-A	R-R	R-1	R-2	B-1	MU	C-1	I-1
Agriculture	P	N	N	N	N	N	P	N
Agri-Tourism	N	N	N	N	N	N	P	N
Animal Hospitals	N	N	N	N	N	P	N	N
Artist and Hobby Supplies (sale of)	N	N	N	N	P	P	N	N
Automotive Repairs	N	N	N	N	N	N	N	P

<b>NONRESIDENTIAL USES</b>	<b>R-A</b>	<b>R-R</b>	<b>R-1</b>	<b>R-2</b>	<b>B-1</b>	<b>MU</b>	<b>C-1</b>	<b>I-1</b>
Automotive Sales (sale of vehicles)	N	N	N	N	P	P	N	N
Automotive Supplies (sale of)	N	N	N	N	P	P	N	p
Automotive Wrecking Yard	N	N	N	N	N	N	N	C
Bulk Fuel Storage Facility	N	N	N	N	N	N	N	C
Cemeteries	P	N	N	N	N	N	N	N
Clothing and Clothing Accessories (sale of)	N	N	N	N	P	P	N	N
Commercial Communications Facility	N	N	N	N	N	N	C	C
Commercial Greenhouses and Nurseries	P	N	N	N	N	P	P	P
Composting of Yard Waste as a Commercial Use	N	N	N	N	N	N	SE	P
Continuing Care Facility	N	N	N	N	N	P	N	N
Contractors' Offices, Shops and Storage Yards	N	N	N	N	N	N	N	P
Day Care Facilities	SE	N	N	SE	P	P	N	N
Drug Treatment Center	N	N	N	N	N	C	N	N
Dry Goods (sale of)	N	N	N	N	P	P	N	N
Emergency Services Facility	P	N	N	P	N	N	N	N
Entertainment Facilities	N	N	N	N	P	P	N	N
Equipment Sales and Repairs	N	N	N	N	P	P	N	P
Extraction of Minerals	N	N	N	N	N	N	P	P
Fish Hatcheries and Fishing Preserves	P	N	N	N	N	N	P	N
Food Products (sale of)	N	N	N	N	P	P	N	N
Forestry (as defined in Article 2)	P	P	P	P	P	P	P	P
Furniture or Office Supplies and Equipment (sale of)	N	N	N	N	P	P	N	N
Game Lands and Wildlife Preserves (Privately owned)	P	N	N	N	N	P	P	N
Gas Station, Limited-Service	N	N	N	N	P	P	N	P
Halfway House	N	N	N	N	N	C	N	N
Home Improvements Store	N	N	N	N	P	P	N	N
Hotels and Motels	N	N	N	N	N	C	N	N
Household Goods and Appliances	N	N	N	N	N	P	N	N
Institutional Uses	N	N	N	N	N	C	N	N
Intermediate-Care Facility	N	N	N	N	N	C	N	N
Junk Yards	N	N	N	N	N	N	N	C
Light Industry	N	N	N	N	N	N	N	P



EXHIBIT B AREA TO BE REZONED FROM R-A TO R-R BORDERED IN GREEN

