

**JEFFERSON TOWNSHIP
ORDINANCE NUMBER 4 OF 2024**

AN ORDINANCE OF JEFFERSON TOWNSHIP, LACKAWANNA COUNTY, PENNSYLVANIA, AMENDING THE JEFFERSON TOWNSHIP ZONING ORDINANCE OF DECEMBER 13, 2021, AS AMENDED SEPTEMBER 12, 2022.

SECTION 1

This Ordinance repeals and replaces Ordinance 2 of 2024, which was adopted on October 16, 2024.

SECTION 2

Article 2, Definitions, Section 203, Definitions is hereby amended to include the following definitions:

RESIDENTIAL SUBDIVISION FACILITY OR AMENITY:

A recreational area, community facility, or other physical improvement established as part of a subdivision and land development plan that is intended to serve the residents of such subdivision and land development and their guests. These common areas are to be maintained by an established property owner's association.

TEMPORARY USE:

A use accessory to another permitted principal use that operates at a fixed location for a temporary period of time not to exceed one year, unless circumstances beyond the owners' control are realized.

SECTION 3

Article 5, Zoning District Regulations, Section 502.1, Residential Use Table, is hereby amended to include:

Residential Subdivision Facility or Amenity as a Conditional Use (C) in all zones.

Temporary Use/Shelter as a Permitted Use in Zones A-1, S-1, R-1, R-2, R-3, C-1, C-2 & L-1, and a Non-Permitted Use in Zones C-3 and M-1.

USES	A-1	S-1	R-1	R-2	R-3A	R-3	C-1	C-2	C-3	M-1	L-1
Residential Subdivision Facility or Amenity	C	C	C	C	C	C	C	C	C	C	C
Temporary Use/Shelter	P	P	P	P	P	P	P	P	N	N	P

SECTION 4

Article 5, Zoning District Regulations, Section 502.2, Nonresidential Use Table, is hereby amended to include:

Temporary Use as a Permitted Use in all zones.

USES	A-1	S-1	R-1	R-2	R-3A	R-3	C-1	C-2	C-3	M-1	L-1
Temporary Use/Office	P	P	P	P	P	P	P	P	P	P	P

SECTION 5

JEFFERSON TOWNSHIP
ORDINANCE NUMBER 4 OF 2024

Article 8, Supplemental Regulations, Section 801 is hereby amended to include sections 801.60, Residential Subdivision Facility or Amenity, and 801.61, Temporary Use regulations as follows:

801.60 RESIDENTIAL SUBDIVISION FACILITY OR AMENITY

A. GENERAL REGULATIONS

Residential subdivision facilities and amenities shall be considered a Conditional Use, regardless of the zoning district in which it is located. Such facilities shall be similar to, but not be limited to, maintenance buildings, electrical substations, sewage pump stations, playgrounds, meeting halls or clubhouses, community snack shops, recreation halls, multi-purpose trails, community gardens, centralized mail or garbage disposal facilities, swimming pools, athletic courts or fields, parks, religious facilities, and security or guard houses. The development of land for the purpose described herein shall be subject to the standards applicable to other similar uses set forth elsewhere in this ordinance or subject to standards adopted by the Board of Supervisors at the time of the Conditional Use Hearing. Such uses shall also be subject to the following standards:

1. The facilities and amenities shall only be permitted within the property lines of the subdivision.
2. The facilities and amenities shall be for the exclusive use of the residents of the subdivision and their guests
3. The facilities and amenities shall be located on property owned by the property owner's association of the subdivision and shall be under the association's operation and control.
4. The Board of Supervisors may require such setbacks, screening and other protective devices as they may deem appropriate in individual cases.
5. Security or guard houses may be placed in road rights-of-way as needed.

B. PARKING REQUIREMENTS

Parking for all facilities shall be provided in accordance with existing township ordinances; however, as a conditional use is being considered, the Board of Supervisors may determine that parking requirements can be amended or waived for specific facilities and amenities based on the overall design, accessibility, and intended use. Such determinations shall be considered and evaluated based on the specific circumstances of each project, ensuring that the needs of the residents are met.

801.61 TEMPORARY USE

A. GENERAL REGULATIONS

No temporary use shall be established unless a zoning permit evidencing the compliance of such use with the provisions of this section and other applicable provisions of this Ordinance shall have first been issued.

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ORDINANCE NUMBER 4 OF 2024**

Documentation must be provided from the Township Sewage Enforcement Officer that adequate arrangement for temporary sanitary facilities has been made. All uses shall be confined to the dates specified in the permit.

B. PARTICULAR TEMPORARY USES PERMITTED

The following are temporary uses which are subject to the following specific regulations and standards, in addition to the other requirements specified in this Ordinance.

1. Contractor's Office

- a. Permitted in any district where use is incidental to a construction project. Office shall not contain sleeping or cooking accommodations.
- b. Maximum length of permit shall be one (1) year.
- c. Office shall be removed upon completion of construction project.
- d. Required water supply and sanitary facilities must be provided.

2. Real Estate Sales Office

- a. Permitted in any district for any new subdivision approved in accordance with the Jefferson Township Subdivision and Land Development Ordinance. The office may not contain sleeping or cooking accommodations. A model home may be used as a temporary sales office.
- b. Maximum length of permit shall be twelve (12) months, but the Zoning Officer may extend the permit for a period or periods not to exceed sixty (60) days in the event of circumstances beyond the control of the owner. Application for the extension shall be made at least fifteen (15) days prior to expiration of the original permit.
- c. Office shall be removed upon completion of the development of the subdivision.
- d. Required water supply and sanitary sewer facilities must be provided.

3. Temporary Shelter

- a. When fire or natural disaster has rendered a single-family residence unfit for human habitation, the temporary use of a recreational vehicle located on the single-family lot during rehabilitation of the original residence or construction of a new residence is permitted subject to the following additional regulations.
- b. Required water supply and sanitary facilities must be provided.
- c. Maximum length of permit shall be twelve (12) months, but the Zoning Officer may extend the permit for a period or periods not to exceed sixty (60) days in the event of circumstances beyond the control of the owner. Application for the extension shall be made at least fifteen (15) days prior to expiration of the original permit.
- d. The recreational vehicle shall be vacated and/or removed from the property, or returned to parked status in compliance with Section 324 of this Ordinance, prior to issuance of any occupancy permit for the new or rehabilitated residence. The applicant shall be required to provide express consent and authorization to Jefferson Township, plus ten percent (10%) administrative cost, to remove the temporary shelter at the owner's expense upon termination of the permit, if the owner fails to remove the temporary shelter as required.

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Adopted this 9th day of December 2024 after duly advertised, by motion of the Jefferson Township Board of Supervisors.

ATTEST:

Patricia Ewerich

Jason B. Hollister
Jason B. Hollister, Chairman

Adeline G. Rocco
Adeline G. Rocco, Vice-Chair

John L. Peters, Sr.
John L. Peters, Sr.