

ZONING ORDINANCE
BOROUGH OF TAYLOR
LACKAWANNA COUNTY, PENNSYLVANIA

Planning Consultant:

MARVIN A. BROTTER CONSULTING SERVICES

MARCH 2005

AS AMENDED OCTOBER 12, 2005

ZONING ORDINANCE
OF THE
BOROUGH OF TAYLOR
LACKAWANNA COUNTY, PENNSYLVANIA

ORDINANCE NO. 1-2005

AN ORDINANCE AMENDING AND REPLACING THE ZONING ORDINANCE OF THE
BOROUGH OF TAYLOR OF MARCH 2003.

An Ordinance to permit, prohibit, regulate, restrict, and determine: Uses of land, watercourses, and other bodies of water; size, height, bulk, location, erection, construction, repair, maintenance, alteration, razing, removal and use of structures; areas and dimensions of land and bodies of water to be occupied by uses and structures, as well as areas, courts, yards, and other open spaces and distances to be left unoccupied by uses and structures; density of population and intensity of use; protection and preservation of natural resources; and providing for: Special exceptions and variances administered by the Zoning Hearing Board, and Conditional Uses administered by the Borough Council; the administration and enforcement of this Ordinance and penalties for the violation thereof.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOROUGH
COUNCIL OF THE BOROUGH OF TAYLOR, AS FOLLOWS:

**BOROUGH OF TAYLOR
LACKAWANNA COUNTY**

Ordinance No. 01-2005

SECTION I: PURPOSE & LOCATION

To adopt a zoning ordinance and map to replace the current Taylor Borough Zoning Ordinance and Zoning Map in accordance with the attached document entitled: Zoning Ordinance, Borough of Taylor, March 2005, which is incorporated herein by reference and attached hereto as Exhibit "A" as if specifically set forth herein. A copy of the full text of the Ordinance and map are both on file in the Borough Building with the Borough Secretary, 122 Union Street, Taylor, PA. The Ordinance and map are incorporated by reference into the official ordinance book of the Borough with the same force and effect as if duly recorded therein. The Ordinance with Map may be inspected and copy secured during regular Borough hours at the above address.

SECTION II: SEVERABILITY AND REPEALER

- a. Should any section, clause, or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or the parts thereof, other than the part so declared to be invalid.
- b. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION III: EFFECTIVE DATE

This Ordinance shall take effect March 31, 2005 or as soon as permitted by law thereafter.

ENACTED AND ORDAINED this 22nd day of March, 2005



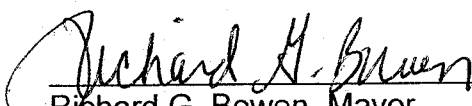
Kenneth F. Mickavicz, President

ATTEST:



Dawn A. Richards, Secretary

APPROVED this 22nd day of March, 2005



Richard G. Bowen, Mayor

**BOROUGH OF TAYLOR
ORDINANCE NO. 3 OF 2005**

AN AMENDMENT OF THE BOROUGH OF TAYLOR ZONING ORDINANCE, INCLUDING, INTER ALIA, ARTICLE 3, SCHEDULE I, SECTION 5.610, OFF-STREET PARKING, Table III, SECTION 5.661a., PARKING PROHIBITED IN R-ZONES, SECTION 9.231, INDEMNIFICATION OF TAYLOR BOROUGH, AND ARTICLE II, DEFINITIONS

WHEREAS, the Borough of Taylor is a duly ordained political subdivision (the "Borough"); and

WHEREAS, the Borough has duly enacted on March 22, 2005, a Zoning Ordinance, No. 1 of 2005 (the "Zoning Ordinance"); and

WHEREAS, for the public good and welfare, it is in the best interest of the Borough to Amend the aforesaid Zoning Ordinance ; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Taylor, and it is hereby enacted and ordained by the authority granted to Boroughs under the laws of the Commonwealth of Pennsylvania, as follows:

SECTION I: PURPOSE & LOCATION

To adopt a zoning ordinance amendment to the current Taylor Borough Zoning Ordinance of March 22, 2005 in accordance with the which is incorporated herein by reference as if specifically set forth herein. A copy of the full text of the Ordinance and this Amendment are both on file in the Borough Building with the Borough Secretary, 122 Union Street, Taylor, PA. The Ordinance and this Amendment are incorporated by reference into the official ordinance book of the Borough with the same force and effect as if duly recorded therein. The Ordinance with this Amendment may be inspected and copy secured during regular Borough hours at the above address.

SECTION II: AMENDMENTS

The Zoning Ordinance of the Borough of Taylor is hereby amended as follows:

Article 3, Schedule I

1. Add: "Earth Moving Industries, including Staging Areas" as a Conditional Use in S-3 Zones.
2. Under the Automobile Sales and Services, Add: "Sales, Used" as a Principal Permitted Use in C-2 Zone.

Section 5.612 – Table III

Revise #5: Single-family Dwellings – Revise to “2 spaces for each family or dwelling unit”.

Revise #14: Retail Stores, Store Groups, Shops and Personal Services – Revise the minimum required parking spaces from “1 space for each 100 square feet of floor area” to “1 space for each 200 square feet of floor area”.

Section 5.661a.

Add: Provided, further, that there shall not be more than one (1) cab per dwelling unit on any zone lot and that such cab shall be owned or operated by the resident of such dwelling unit.

Add Section 9.231

Indemnification of Taylor Borough

The issuance of this permit is not intended to create liability on the part of the Borough, its commissions, officers, and agents, Parties are advised to independently investigate development rights, improvements, structures, or components thereof. Additional zoning and/or building permits may be necessary. The owner and his successors and assigns shall indemnify and hold harmless the Borough, its employees, agents, and commissions from all claims related to development lands and calculation, including but not limited to stormwater detention and discharge. Additionally, consult disclaimer of municipal liability under Section 205 of the Subdivision and Land Development Ordinance and Section 5.898 hereof.

Article 11 – Definitions

Add: Improvement – Any man-made, immovable item that becomes part of, is placed upon, or is affixed to real estate.

SECTION III: FULL FORCE AND EFFECT

In all other respects, the Zoning Ordinance of the Borough of Taylor, as amended, shall remain in full force and effect.

SECTION IV: SEVERABILITY AND REPEALER

a. Should any section, clause, or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or the parts thereof, other than the part so declared to be invalid.

b. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION V: EFFECTIVE DATE

This Ordinance shall take effect October 18, 2005 or as soon as permitted by law thereafter.

ENACTED AND ORDAINED this 12th day of October, 2005



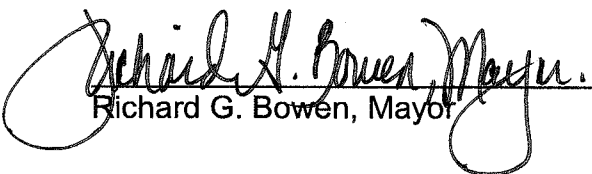
Kenneth F. Mickavicz, President

ATTEST:



Dawn A. Richards, Secretary

APPROVED this 12th day of October, 2005



Richard G. Bowen, Mayor

ARTICLE I

TITLE AND PURPOSES

1.100 TITLE

"An Ordinance to limit and restrict to specified districts or zones and to regulate therein, buildings and structures according to their construction and the nature and extent of their use, and the nature and extent of the uses of land in the Borough of Taylor and providing for the administration and enforcement of the provisions herein contained and fixing penalties for the violation thereof".

1.200 SHORT TITLE

This Ordinance shall be known and may be cited as the "Taylor Borough Zoning Ordinance".

1.300 COMMUNITY DEVELOPMENT OBJECTIVES

The Borough of Taylor has enacted a Zoning Ordinance, of which this statement is a part, in accordance with the Pennsylvania Municipalities Planning Code. The adoption and enforcement of these regulations is intended to provide the municipality with procedures which will assist in directing its growth and development in accordance with local needs and goals.

Pertinent local goals which these regulations are intended to bring to fruition relate to such factors as land use, population density, streets and traffic and other community facilities and utilities, generally as defined in the Taylor Borough Comprehensive Plan.

More specifically, it is intended to:

1. Create a pattern of land uses which is compatible and harmonious, where a suitable environment may be created for residential, commercial and industrial functions. The protection of our present and future residential areas is a prime concern; as well as the reservation and protection of lands which are considered desirable and suitable for commercial and industrial uses, but not those industrial uses which will emit nuisances which would have an adverse affect on any part of the community.

2. Maintain a density of population which can feasibly be served by the streets and other public facilities which presently exist or can be reasonably provided by the municipality.
3. Direct the types of development and the intensity of development in such a manner as will not place an unreasonable burden on the capacity of local streets and other public facilities.
4. Preserve the character, appearance and integrity of the community in keeping with the present pattern and character of development.
5. Protect the flood plain by prohibiting the forms of development which would restrict the flow of the streams and/or result in extensive loss of life or property.

1.400 SCOPE OF REGULATIONS

- 1.410 Administration and Enforcement. This ordinance includes provisions for the administration and the enforcement of the ordinance and such other provisions as are deemed necessary to implement the purposes of this ordinance and the purposes of Act 247 as amended.
- 1.420 Flexibility and Innovation. This ordinance includes provisions to encourage innovation and to promote flexibility, economy and ingenuity in development, including subdivisions and land developments as defined in Act 247 as amended. Such regulations provide authorization to increase the permissible density of population and intensity of uses based upon expressed standards and criteria set forth herein.
- 1.430 Development Features Regulated. This ordinance includes provisions regulating:
- (1) Uses of land, watercourses and other bodies of water
 - (2) Size, height, bulk, location, erection, construction, repair, maintenance, alteration, razing, removal and use of structures
 - (3) Areas and dimensions of land and bodies of water to be occupied by uses and structures, as well as areas, courts, yards, and other open spaces and distances to be left unoccupied by uses and structures
 - (4) Density of population and intensity of use
 - (5) Protection and preservation of natural resources
 - (6) Special Exceptions
 - (7) Variances
 - (8) Conditional Uses

1.500 PURPOSES

These regulations are deemed necessary to achieve the following purposes:

- 1.510 To promote, protect and facilitate any or all of the following: the public health, safety, morals, and the general welfare: coordinated and practical community development and proper density of population: emergency management preparedness and operations, airports, and national defense facilities, the provision of adequate light and air, access to incident solar energy, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, recreation facilities, public grounds, the provision of a safe reliable and adequate water supply for domestic, commercial, or industrial use, and other public requirements: as well as preservation of the natural, scenic and historic values in the environment and preservation of forests, wetlands, aquifers and floodplains.
- 1.520 To prevent one or more of the following: overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers.
- 1.530 To provide for the use of land within the municipality for residential housing of various dwelling types encompassing all basic forms of housing, including single-family and two-family dwellings, and a reasonable range of multifamily dwellings in various arrangements, mobile homes and mobile home parks.
- 1.540 To accommodate reasonable overall community growth, including population and employment growth, and opportunities for development of a variety of residential dwelling types and nonresidential uses.

1.600 EXEMPTIONS

This Ordinance shall not apply to any real property, lands, or rights-of-way of the Borough of Taylor or uses thereon, including, by way of explanation but not limitation, any buildings, structures, facilities, improvements, and other appurtenances thereon.