

3. anchored 6.15132 Adequacy of Site collapse, or lateral movement

ARTICLE V PROHIBITIVE ACTS

Section 5.00 General

In accordance with the
By the Department
Pennsylvania Flood
activities shall
floodplain are

A. The commencement
the construction
structure and
following are

1. Hospitals
2. Nursing Homes
3. Jails or Prisons

B. The commencement
manufactured home
or substantial
home port or manuf

The proposed shopping center is of
sufficient but not excessive size to
provide adequate neighborhood or com-
munity shopping facilities, as the
case may be; for the population which
may reasonably be expected to be
served by such shopping facilities.

6.15133 Traffic Congestion Not to be Created

The proposed shopping center is lo-
cated so that reasonably direct traf-
fic access is supplied from principal
thoroughfares, and where congestion
will not likely be created by the pro-
posed center; or where such con-

ARTICLE VI EXISTING STRUCTURES

Section 6.00 Existing Structures

The provisions of this
or improvements do not
However, when an
structure, the provisions

Section 6.01 Improvements

The following provisions
is made to or to assist
floodplain area

gestion will be obviated by presently
projected improvement of access thor-
oughfares, by demonstrable provision
in the plan for proper entrances and
exits, and by internal provisions for
traffic and parking.

6.15134 Integrated Design

A. No expansion to
shall be allowed
cause any increase
(100) Year flood

B. Any modification,
improvement, or
extent or amount of

The plan shall provide for a shopping
center consisting of one or more
groups of establishments in buildings

of integrated and harmonious design, together with adequate and properly arranged traffic and parking facilities and landscaping.

The project shall be arranged in an attractive and efficient manner, convenient, pleasant and safe to use, and fitting harmoniously into, and having no adverse effects upon, adjoining or surrounding properties.

6.1514 Permitted Uses

The uses permitted in an integrated neighborhood shopping center shall be those retail business, commercial and service uses permitted in the B-1 District, and the uses permitted in an integrated community shopping center shall be the same kinds of uses as permitted in the B-2 District. No residential uses, commercial uses first permitted in B-3 and B-4 districts, or industrial uses, shall be permitted, or any use other than such as is necessary or desirable to supply with goods or services the surrounding neighborhood or community.

6.1515 Minimum Design Standards

The following minimum standards shall be met in the design of an integrated neighborhood or community shopping center:

6.15151 Building Heights

7. Chlorine
8. Hydrochloric acid
9. Hydrocyanic acid
10. Magnesium
11. Nitric acid and oxides of nitrogen
12. Petroleum products (gasoline, kerosene, etc.)
13. Phosphorus
14. Potassium
15. Sodium
16. Sulphur acid
17. Pesticides (including insecticides, fungicides and rodenticides)
18. Radioactive substances, insofar as such substances

No building shall exceed two and one half (2½) stories or thirty-five (35) feet in height.

6.15152 Yards and Landscaping

1. No building shall be less than fifty (50) feet distant from any boundary of the tract on which the shopping center is located.
2. The center shall be permanently screened from all abutting properties located in any Residence District by an appropriate wall, fence, or dense hedge of acceptable design and, except for necessary entrances and exists, from all properties located across the street and within one hundred (100) feet from such center in any Residence District by a wall, fence or dense hedge not less than three (3) feet in height.

B. Within any shopping center is located. The center shall be permanently screened from all abutting properties located in any Residence District by an appropriate wall, fence, or dense hedge of acceptable design and, except for necessary entrances and exists, from all properties located across the street and within one hundred (100) feet from such center in any Residence District by a wall, fence or dense hedge not less than three (3) feet in height.

C. Where permitted, screening shall be approved by the Planning Commission. The exact type and nature of such screening shall be approved by the Planning Commission.

1. elevated or completely dry up to or above the one hundred (100) year flood and, except for necessary entrances and exists, from all properties located across the street and within one hundred (100) feet from such center in any Residence District by a wall, fence or dense hedge not less than three (3) feet in height.
2. designed to provide protection from the structure or activity during the one hundred (100) year flood.

Any such structure, fence, or hedge shall be built below the one hundred (100) year flood elevation and shall be designed and constructed in accordance with the standards for construction of floodproofing contained in the publication "Floodproofing Regulations" (U.S. Army Corps of Engineers, June, 1972), or with some other equivalent floodproofing standard.

Section 6.05. Special Regulations for Manufactured Homes

Where permitted, screening shall be approved by the Planning Commission. The exact type and nature of such screening shall be approved by the Planning Commission.

1. placed on a permanent foundation.

6.15153 Tract Coverage

2. elevated so that the lowest floor of the manufactured home is at least one (1) foot or more above the elevation of the one hundred (100) year flood.

The ground area occupied by all the buildings shall not exceed in the aggregate twenty-five (25) per cent of the total area of the lot or tract.

6.15154 Customer Parking Space

Notwithstanding any other requirement of this Ordinance, there shall be provided not less than three (3) square feet of automobile parking space with suitable access, for each square foot of gross floor area devoted to use by patrons.

6.15155 Loading Space

Notwithstanding any other requirements of this Ordinance, there shall be provided one (1) off-street loading or unloading space for each twenty thousand (20,000) square feet or major fraction thereof aggregate floor space of all buildings in the center. At least one-third (1/3) of the spaces required shall be sufficient in area and verticle clearance to accommodate trucks of the tractor-trailer type.

6.1516 Submission and Approval of Final Development Plan

6.15161 Submission to Commission

Upon determination by the Commission that the proposed integrated neighborhood shopping center or community shopping center, as the case may be, as

shown by the preliminary plan, appears flood elevation.

2. Separate electrical circuits shall serve lower levels and shall be in accordance with the requirements of this Section, and all other applicable re-

1. Equipment requirements of this Ordinance, the pro-

ponents shall prepare and submit a final development plan, which plan shall incorporate any changes or modifications

14 Fuel Supply Systems required by the Commission.

All gas and oil systems shall be designed to prevent the escape of gas or oil into the system and discharges into the environment. Additional provisions for the drainage of these systems in the event of a gas or oil leak shall be included in the plan. If the final development plan is found

6.15162 Recommendation to Borough Council and Public Hearing

Section 4.04 Development to comply with requirements set forth

A. In accordance with the Flood Hazard Management Act, and the rules and regulations of the Department of Community Affairs, the Commission shall submit said plan with its

- will be used for the protection or storage of any of the following report and recommendations, together

- will be used for any activity requiring the maintenance of the necessary change in or other comparable rules, of any of the following dangerous materializing classification of the site of

- will involve the protection, storage, or use of any amount of material to the Borough Council which shall hold

shall be subject to a public hearing on both the develop- in addition to all other applicable provisions. The ment plan and application for a change in zoning.

6.15163 Possible Modification and Zoning

Following a public hearing, the Borough Council may modify the plan, consistent

1. Asbestos
2. Lead
3. Benzene
4. Cellulose
5. Carbon disulfide
6. Celluloid

with the intent and meaning of this Ordinance, and may rezone the property to the classification permitting the proposed center, for development in substantial conformity with the final plan, as approved by the Borough Council.

6.15164 Adjustments in Carrying Out Plan

After the final development plan has been approved by the Borough Council, and in the course of carrying out this plan, adjustments or rearrangements of buildings, parking areas, loading areas, entrances, heights, or yards, may be requested by the proponents, and, provided such requests conform to the standards established by the final development plan and this Ordinance, such adjustments or rearrangements may be authorized by the Commission.

6.152 Planned Residential Developments

6.1521 Application of Comprehensive Plan

Every application for a planned residential development (PRD) shall be based on, and consistent with, and interpreted in relation to, the Comprehensive Plan of Plymouth Borough.

6.1522 Application and Submission to Planning Commission

Application shall be made to the Board of Adjustment through the Planning commission.

6.1523 Standards and Conditions for Planned Residential Developments

6.15231 Permitted Uses

The permitted land use requirements of the zone within which the planned residential unit is located shall apply with the exception that:

6.152311 Open space reservations shall be considered cause for population density and building intensity increases, and for this purpose the permitted type of dwelling units may include single-family detached homes, townhouses, garden apartments or high-rise apartments provided:

6.1523111 In PRD of less than 50 acres, only the uses permitted in the Zoning District may be used.

6.2332 In Planned Residential Develop-
ments of 50 acres
or more, a maxi-
mum of 20 per cent
of the dwellings
located within
C-1, A-1, S-1,
R-1, and R-2 Dis-
tricts may be multi-
ple dwellings. A
maximum of one acre
of the commercial
and professional
uses are permitted,
for each 100 dwell-
ing units, when
planned and gauged
primarily for the
service and con-
venience of resi-
dents located in
the development,
and shall be auth-
orized only to the
extent that such
uses are not avail-
able in reasonable
proximity.

No. of sections
"A" or any other
use and subject to the following
conditions:
6.1523113 In tracts of land
of two hundred
(200) or more acres,
additional uses may
be permitted if ap-
proved by the Board
of County Commis-
sioners.

6.15232 Prohibited Locations

6.152321 Planned Residential Devel-
opments are prohibited in
commercial, mining and
industrial zoning districts.

6.15233 Density and Intensity of Land Use

**6.152331 Number of dwelling units
permitted.**

The maximum number of dwell-
ing units that may be approved
in a PRD shall be computed
by dividing the net devel-
opment area by the minimum
lot or lot area per dwelling
unit required by the district
or districts in which the
area is located. The area

of land set aside for common open space or recreational use shall be included in the net development area.

6.152332 Lot Area

No lot or area per dwelling unit in any district listed below shall be reduced in area below the following minimum standards:

<u>ZONING DISTRICT</u>	<u>REQUIRED MINIMUM LOT AREA OF DIST.</u>	<u>PERMISSIVE MINIMUM LOT AREA OF PLANNED RESIDENTIAL DEVELOP.</u>
C-1	2 acres	40,000 except
A-1	1 acre	20,000
S-1	(20,000 ^{1/})	(12,000 ^{1/})
	(11,250 ^{2/})	(9,000 ^{2/})
R-1	(20,000 ^{1/})	(12,000 ^{1/})
	(11,250 ^{2/})	(9,000 ^{2/})
	(7,200 ^{3/})	(6,000 ^{3/})
R-2	(20,000 ^{1/})	(12,000 ^{1/})
	(11,250 ^{2/})	(9,000 ^{2/})
	(6,000 ^{3/})	(6,000 ^{3/})
	(3,500 per D.U.)	(3,000 per D.U.)
R-3	(6,000)	(6,000)
	(2,000 per D.U.)	(1,500 per D.U.)

1/ Neither public water nor sewer.

2/ Individual sewage system on each lot, but public water; or individual water systems on each lot, but public sewers.

3/ Public water and sewer.

6.152333

Ownership and Subdivision

The tract or parcel of land involved must be either in one ownership or the subject of an application filed jointly by the owners of all the property included (the holder of a written option to purchase land, and a redeveloper under contract with the Redevelopment Agency to acquire land by purchase or lease, shall for purposes of such application be deemed to be an owner of such land), or by any governmental agency including a Redevelopment Agency. It must constitute an area of at least twenty acres or be bounded on all sides by streets, public open spaces, or the boundary lines of less restrictive

use districts. The application may include a proposed subsequent division of the tract or parcel of land involved into one or more separately owned and operated units. Such proposed subsequent division, if approved along with the PRD shall be permissible without further approval; otherwise, subsequent division of a PRD shall be permitted only upon application to the Borough Council through the Planning Commission as provided in the PRD Section.

6.15234 Standards and Other Conditions

6.152341 Open Space:

6.1523411 Areas set aside for open space under this ordinance shall be consistent with

the comprehensive
plan of Plymouth
Borough for future
land use. Any
such area shall
not contain any
structure other
than one related
to a recreational
use.

6.1523412 Within the PRD com-
mon open space shall
be set aside for
the use and benefit
of the residents
in the PRD.

6.1523413 The deed or deeds
to any land set
aside as open space
must contain a
restriction, in a
form acceptable
to the Borough
Council, to be
duly recorded in
the office of the

Recorder of
Deeds in Luzerne
County, eliminat-
ing the possibil-
ity of further

subdivision of
said open space
in the future.

6.1523414 The developer of
a Planned Resi-
dential Develop-
ment shall make
adequate provision
for the ownership
and continuing
maintenance of
open space and
improvements
thereon by the
establishment of
a home owner's
organization which
is approved by
the Borough Council.

Such home owner's
organization shall
not be dissolved

nor shall it
dispose of any
or all of the
open space in
any manner what-
soever, except
to a separate
organization of
home owners con-
ceived and estab-
lished to own and
maintain said open
space from being
dedicated to the
public by the
acceptance of a
deed of dedication
by the Borough
Council, at its
sole discretion.

6.1523415 The developer of
a PRD shall sub-
mit full details
concerning the
proposed home
owners organi-

zation, its power
rights, duties,
responsibilities,
etc., in regard
to the ownership,
and maintenance of
the common open
space, which shall
be subject to ap-
proval by the
Borough Council.

No final plan shall
be approved by
the Borough Council
without such prior
approval.

6.152342 Other Standards

6.1523421 The following re-
quirements shall
apply to single-
family detached
units.

6.15234211
The lot for each
home shall have a
width at the build-
ing line of not

6.1523421

less than 60 feet and a width at the street line of not less than fifty (50) feet;

6.15234212

The building area shall not exceed twenty (20) per cent of the lot area;

6.15234213

There shall be a front yard on each street on which the lot abuts, the depth of which shall be at least forty (40) feet.

6.15234214

There shall be two (2) sideyards, one on each side of the building, together having a aggregate width

of not less than
twenty-five (25)
feet but neither
having a width
of less than
ten (10) feet.

6.15234215

There shall be a
rear yard the
depth of which
shall be at least
thirty (30) feet.

6.1523422 The following re-
quirements shall
apply to single
family semi-de-
tached homes:

6.15234221

The lot for each
home shall have a
width at the build-
ing line and at the
street line of not
less than fifty
(50) feet;

6.15234222

The building area shall not exceed thirty (30) per cent of the lot area;

6.15234223

There shall be a front yard on each street on which the lot abuts, the depth of which shall be at least thirty (30) feet;

6.15234224

There shall be one side yard for each home which shall be at least fifteen (15) feet wide;

6.15234225

There shall be a rear yard, the depth of which shall be at least thirty (30) feet.

6.1523423 The following requirements shall apply to single family attached homes:

6.15234231

The minimum lot size shall be six thousand (6,000) sq.ft.;

6.15234232

The lot for each home shall have a width of not less than thirty (30) feet at the building line and at the street line.

6.1523424 No individual section of cluster or group housing shall contain more than six (6) single family townhouses. Each single family townhouse shall have a

setback of not less than forty (40) feet from an interior road right-of-way within the PRD. No part of any section of cluster or group housing shall be erected within one hundred fifty (150) feet of any other building or structure in the PRD. Each single family townhouse shall contain at least one thousand two hundred (1,200) sq.ft. of habitable floor area. In no case shall any building or structure exceed

thirty (30)

feet in height

above the

ground slab.

6.1523425

Each dwelling unit

shall have two

(2) off-street

parking spaces.

6.1523426

The Borough of

Plymouth concerned

shall not be obli-

gated to accept

the dedication of

streets and/or

roads within PRD,

but PRD, however,

must conform to

all the require-

ments applicable

to the size, de-

sign and construc-

tion of Municipal

roads and streets.

6.1523427

Flexibility of Municipality to complement the existing neighboring properties and the Municipality as a whole is a prime objective of this ordinance; the combination of uniqueness and beauty of design and architecture in a PRD is encouraged.

6.1524 Enforcement and Modifications of the Provisions of the Plan

To further the mutual interest of the residents of the Planned Residential Development and of the public in the preservation of the integrity of the development plan, as finally approved, and to insure that modifications, if any, in the development plan shall not impair the reasonable reliance of the said residents upon the provisions of the

development plan, and not result in changes that would adversely affect the public interest, the enforcement and modification of the provisions of the development plan as finally improved, whether those are recorded by plat, covenant, easement or otherwise shall be subject to the following provisions:

- 6.15241 The provisions of the development plan relating to (i) the use, bulk and location of buildings and structures, (ii) the quantity and location of common open space, except as otherwise provided in the PRD Section, and (iii) the intensity of use or the density of residential unit shall run in favor of Plymouth Borough, and shall be enforceable in law or in equity by Plymouth Borough without limitation on any powers of regulation otherwise granted Plymouth Borough.
- 6.15242 All provisions of the development plan shall run in favor of the residents of the PRD, but only to the extent expressly provided in the