

**BOROUGH OF ST. CLAIR
SCHUYLKILL COUNTY, PENNSYLVANIA**

ORDINANCE NO. 423

**AN ORDINANCE OF THE BOROUGH OF ST. CLAIR, SCHUYLKILL
COUNTY, PENNSYLVANIA, AMENDING THE ST. CLAIR BOROUGH
ZONING ORDINANCE.**

WHEREAS, the Borough of St. Clair previously adopted a Zoning Ordinance based upon a duly prepared Comprehensive Plan; and

WHEREAS, said St. Clair Borough Zoning Ordinance provides for amendments pursuant to the Pennsylvania Municipalities Planning Code, 53 P.S. §10101, et seq.; and

WHEREAS, the Borough Council wishes to amend said Borough Ordinance to update certain administrative provisions and require the filing of all papers with the Borough office as custodian of said records; and

WHEREAS, said amendments have been prepared by the Borough solicitor and the Borough engineer and forwarded to both the County and Borough Planning Commissions for review; and

WHEREAS, a public hearing has been held after being duly published in accordance with the laws of Pennsylvania.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of St. Clair, Schuylkill County, Pennsylvania, and it is hereby ordained and enacted by the authority of same that the Borough Ordinance is amended to wit:

ARTICLE III. DISTRICTS. SECTION 303. ZONING MAP is amended to add additional area of C-2 zoning along Route 61 and Wade Road and shifting an industrial zoning area south moving the zoning district boundary lines to coincide with property boundaries located therein.

The new C-2 zoning district will be located at the corner of Route 61 and Wade Road across from an existing C-2 zoning area. The proposed additional I-1 zoning will cover the remaining area of what is commonly known as the Leed Foundry Site. The proposed map change has a minor effect on three parcels to the west of the property, being 62-02-0142.002 (owned by Violet B. Twardzik); 62-02-0142.003 (owned by Robert J. Campion); and 62-02-0142.000 (owned by Thomas and Kathleen Adamchick). These residential parcels currently have a small strip of industrial zoning on the easternmost portion of their lots, and the attached proposal suggests moving the line between the industrial and residential districts to follow the property boundary line between the applicant's parcels and these residential properties. The result is that no parcel will be located in more than one zoning district. The proposed

amendment to the zoning map would also change to C-2 the zoning on parcel 62-02-0144.001 owned by Cass Coal Co., parcel 62-05-0035.000 owned by Schuylco Coal Inc., parcel 62-04-0017.002 owned by Miller Partnership, Ltd., and parcels 62-02-0146.002 and 62-04-0016.000 owned by Reading Anthracite Company. (See attached revised zoning map.)

ARTICLE III. DISTRICTS. SECTION 306. PERMITTED USES BY DISTRICT

Section 306.B.1 is amended to read as follows:

B. Uses Permitted by Right

1. A-1 Conservation Low Density Residential District

- a. Woodland or game preserve, wildlife sanctuary, or similar conservation use.
- b. Single family detached dwellings.
- c. Nurseries and greenhouses.
- d. Municipal use.
- e. Home occupation pursuant to Section 403.C.8 of this ordinance.
- f. Accessory uses and structures to the above principal use when on the same lot.

Section 306.B.2 is amended to read as follows:

2. R-1 Medium Density Residential District

- a. Single family detached dwelling.
- b. Home occupation, subject to Section 403.C.8 of this ordinance.
- c. Municipal use.
- d. Sale of farm products, where such use is accessory to the raising or growing of such products and is located on the property on which the products are grown or raised.
- e. Park, picnic ground, playground, or similar non-commercial recreation area owned and operated by a public or private non-profit agency.
- f. Accessory uses and structures to the above permitted uses when on the same lot as the permitted use.

Section 306.B.3 is amended to read as follows:

3. R-2 High Density Residential District

- a. Single family detached dwelling.
- b. Single family semi-detached dwelling.
- c. Home occupation, subject to Section 403.C.8 of this ordinance.
- d. Multi-family dwellings, apartment buildings, and townhouses.
- e. Municipal use.
- f. Park, picnic ground, playground, or similar non-commercial recreation area owned and operated by a public or private non-profit agency.
- g. Accessory uses and structures to the above permitted uses when on the same lot as the permitted use.

Section 306.B.7 is amended to read as follows:

7. I-1 Light Industrial District

- a. Office buildings.
- b. Wholesaling and warehousing activities.
- c. Printing and publishing activities.
- d. Research activities.
- e. Testing, cleaning, production, packaging, fabrication, processing, assembly, manufacture, compounding and bottling of foods, goods and materials, provided such activities are carried on within a building.
- f. Any C-2 permitted use.

ARTICLE III. DISTRICTS. SECTION 307. TABLE 3.1 LOT AND SETBACK REQUIREMENTS BY DISTRICT is amended to lower the lot and setback requirements found in Section 307, Table 3.1. See revisions to Table 3.1 attached.

SEVERABILITY

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Borough that such remainder shall be and shall remain in full force and effect.

REPEALER

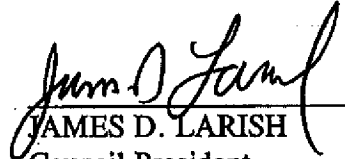
All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed or rescinded.

EFFECTIVE DATE

This Ordinance shall become effective immediately after its final passage and adoption by Borough Council.


ORDAINED and ENACTED into an Ordinance at a regular meeting of the Borough Council of the Borough of St. Clair, Schuylkill County, Pennsylvania, this 6 day of JULY, 2017.

ST. CLAIR BOROUGH



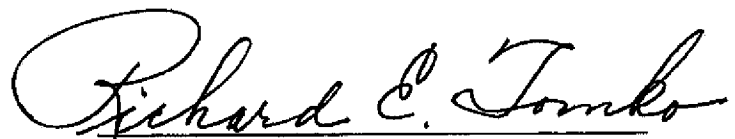
JAMES D. LARISH
Council President

ATTEST:



ROLAND PRICE, JR.
Borough Secretary

Approved by me this 6th day of JULY, 2017.




RICHARD E. TOMKO, Mayor

N RE: AN ORDINANCE OF THE BOROUGH OF ST. CLAIR, SCHUYLKILL COUNTY, PENNSYLVANIA, AMENDING THE ST. CLAIR BOROUGH ZONING ORDINANCE.

CERTIFICATION

I hereby certify that the within Ordinance is a true and correct copy of an Ordinance enacted by Borough Council of the Borough of St. Clair, Schuylkill County, Pennsylvania, on the 6th day of July, 2017.

SEAL



Roland Price, Jr., Secretary
St. Clair Borough Hall
16 South Third Street
St. Clair, PA 17970
Telephone No. (570) 429-0640

TABLE 3.1 – Lot and Setback Requirements by District

Zoning District And Type of Use	Minimum Lot Area (Sq. Ft.)	Minimum Lot Width at Front Yard Setback Line (Ft.)	Minimum Building Setbacks for Each Yard (Ft.)		Maximum Height*** (Ft./Stories)	Maximum Building Coverage (%)	Maximum Impervious Coverage (%)
			Principal Structure*	Accessory Structure**			
A-1 – Conservation/Low Density Residential							
Any Permitted Use	80,000 43,560 (1 acre)	200 150	Front: 50 40 Side (each): 25 20 Rear: 50 30	Front: Not permitted Side (each): 25 20 Rear: 25	35/2.5	10 20	20 30
R-1 – Medium Density Residential District							
Any Permitted Use (including manufactured/mobile homes in agreement with SALDO)	15,000	100	Front: 25 Side (each): 10 Rear: 10	Front: Not permitted Side (each): 10 Rear: 25 10	35/2.5	20 40	20 40
Cluster Development (permitted only with approved central sanitary sewer service and public supply of water)****	10,000*	100	Front: 25 Side (each): 10 Rear: 50	Front: Not permitted Side (each): 10 Rear: 25	35/2.5	20 40	20 40
Townhouse (permitted only with approved central sanitary sewer service and public supply of water)	Minimum tract size of 5 acres; maximum total density of 6 dwelling units per acre	See Section 402	See Section 402	See Section 402	35/2.5	20 40	20 40
Apartment (permitted only with approved central sanitary sewer service and public supply of water)	Minimum tract size of 5 acres; maximum total density of 6 dwelling units per acre	See Section 402	See Section 402	See Section 402	35/2.5	20 40	20 40

* Where existing building expresses a traditionally modest (pre-zoning) front setback, creating a characteristically close relationship with the street, it is highly desirable to continue this pattern in order to retain the area's character. Therefore the ~~maximum~~ setback of new construction should harmonize with the average setbacks of existing adjacent buildings. Outside of areas of generally uniform building setback, where existing structures are located at various distances from the roadway, front setback may vary to a greater degree, and principal buildings shall generally be located within ten feet of the front lot line.

** For accessory structures more than 25 feet in height, the principal building setbacks shall apply.

*** See Section 802 which exempts certain structures from height requirements.

**** Total development shall contain a minimum of 5 acres and contain common open space.