

**PITTSTON TOWNSHIP**  
**Luzerne County, Pennsylvania**  
**ORDINANCE NO. 5-01 of 2021**

**AN ORDINANCE OF THE TOWNSHIP OF PITTSTON, LUZERNE COUNTY, PENNSYLVANIA, AMENDING THE PITTSTON TOWNSHIP ZONING ORDINANCE INCREASING THE MINIMUM LOT SIZE REQUIREMENT FOR LOTS NOT SERVED BY A PUBLIC WATER SYSTEM**

**WHEREAS**, Section 1506 of the Second Class Township Code (53 P.S. § 66506), as amended, authorizes the Board of Supervisors to make and adopt ordinances necessary for the proper management, care and control of the Township, and the maintenance of the health and welfare of the Township and its citizens; and

**WHEREAS**, Section 1516 of the Second Class Township Code (53 P.S. § 66516) entitled "Land Use Regulations," authorizes the Board of Supervisors to plan for the development of the Township through zoning, subdivision and land development regulations under the Pennsylvania Municipalities Planning Code, as amended; and

**WHEREAS**, Section 609 of the Pennsylvania Municipalities Planning Code, as amended and reenacted (53 P.S. § 10609) entitled "Enactment of Zoning Ordinance Amendments," sets forth the provisions for the enactment of amendments to zoning ordinances pursuant to certain procedural formalities; and

**WHEREAS**, Article 14 of the Pittston Township Zoning Ordinance entitled "Amendments" sets forth the provisions for the enactment of amendments to zoning ordinances pursuant to certain procedural formalities; and

**WHEREAS**, the Board of Supervisors finds that it is in the best interests of the health, safety and welfare of the Township residents to make a revision to Schedule I of the Pittston Township Zoning Ordinance and increasing the minimum lot size requirement for lots that are not served by a public water system.

**NOW THEREFORE BE AND IT IS HEREBY ORDAINED AND ENACTED** by the Board of Supervisors of the Township of Pittston, Luzerne County, Pennsylvania, as follows:

**Section 1. Definitions.**

Article 2, Section 202 (Definition of Terms) of the Pittston Township Zoning Ordinance is amended by inserting the following new or revised terms in alphabetical order:

**Public Water System**

Water systems serving 15 or more residential connections or serving 25 or more year-round residents for at least 60 days of the year which are classified as public water supplies by state law. A municipal water supply system or a comparable common water facility approved, permitted and overseen by the Pennsylvania Department of Environmental Protection or the

Pennsylvania Public Utility Commission.

**Section 2. Residential Lots Not Serviced By A Public Water System.**

Article 5 is amended by including minimum lot size requirements for residential lots which are not serviced by a public water system. The minimum lot size for a residential lot which is not serviced by a public water system is hereby increased from 10,000 square feet to 1 Acre.

**Section 3. Basic Dimension Requirements.**

Schedule I (Dimension Regulations Residential and Conservation Zones) is amended by replacing the existing Schedule I in its entirety with the new Schedule I which is attached to this ordinance as Exhibit "1" and incorporated by reference. On the effective date of this ordinance the existing Schedule I shall be removed from the Zoning Ordinance and the new Schedule I shall be inserted in its place.

**Section 4. Violations and Enforcement**

Any individual, firm, corporation, or other legal entity who violates this Ordinance shall be subject to the enforcement, violation and penalty provisions set forth in the Pittston Township Zoning Ordinance

**Section 5. Repealer**

All prior Ordinances, Resolutions or parts thereof in conflict or inconsistent with any of the provisions of this Ordinance are hereby repealed to the extent of the inconsistency.

**Section 6. Severability**

The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, invalid, unenforceable or beyond the power of the Township of Pittston, said provision or provisions shall not be construed to affect the validity of any of the remaining portions of this Ordinance. It is hereby declared as the intent of the Supervisors of the Township of Pittston that this Ordinance would have been adopted had such unconstitutional, invalid or unauthorized provision or provisions not been included therein.

**Section 7. Effective Date**

This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of the Township of Pittston as provided by law.

ENACTED AND ORDAINED THIS 17 day of May 2021 by the Board of Supervisors at a meeting duly convened.

**EXHIBIT "1"**  
**SCHEDULE I**  
**DIMENSION REGULATIONS**  
**RESIDENTIAL AND CONSERVATION ZONES**


FEATURES REGULATED	R-1 1-FAMILY	R-2(1) 2-FAMILY	C-1 (2) CONSERVATION
<b>MIN. LOT SIZE (S.F.)</b>			
w. both central sewer and public water	10,000	6,000	2 ACRES
w. neither central sewer or public water	1 ACRE	1 ACRE	2 ACRES
w. either central sewer or public water, but not both	1 ACRE	1 ACRE	2 ACRES
<b>MIN. LOT AREA PER D.U. (S.F.)</b>			
w. both central sewer and public water	10,000	5,000	2 ACRES
w. neither central sewer or public water	1 ACRE	1 ACRE	2 ACRES
w. either central sewer or public water, but not both	1 ACRE	1 ACRE	2 ACRES
<b>MIN. LOT WIDTH (S.F.)</b>			
w. both central sewer and public water	80	60	200
w. neither central sewer or public water	150	150	200
w. either central sewer or public water but not both	150	150	200
<b>MIN. LOT DEPTH</b>			
w. both central sewer and public water	100	100	200
w. neither central sewer or public water	200	200	200
w. either central sewer or public water but not both	200	200	200

<b>MIN. FRONT YARD (FT)</b>	25	25	50
<b>MIN. REAR YARD (FT)</b>	40	30	50
<b>MIN. SIDE YARD (EACH) (FT)</b>			
w. both central sewer and public water	10	8	25
w. neither central sewer or public water	15	15	25
w. either central sewer or public water but not both	15	15	25
<b>MAX LOT COVERAGE (%)</b>			
<b>- BUILDING</b>			
w. both central sewer and public water	30	40 (30)	20
w. neither central sewer or public water	20	20	20
w. either central sewer or public water but not both	20	20	20
<b>IMPERVIOUS</b>			
w. both central sewer and public water	60	50	30
w. neither central sewer or public water	30	30	30
w. either central sewer or public water but not both	30	30	30
<b>MAX BUILDING HEIGHT</b>			
STORIES	2.5	2.5	2.5
FEET	35	35	35

**NOTES:**

- (1) For 1-family and 2-family dwellings only; for multi-family dwellings refer to Schedule II
- (2) Refer to Schedule III for cluster developments.

ATTEST:

  
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SECRETARY

BOARD OF SUPERVISORS  
PITTSTON TOWNSHIP

BY:   
\_\_\_\_\_  
CHAIRMAN