

**ARTICLE 5 -- AREA AND BULK REGULATIONS - DENSITY CONTROL**

**SECTION 5.0 PURPOSE**

In order to provide adequate open spaces for access of light and circulation of air, to facilitate the prevention and fighting of fires, to prevent undue concentration of population, and to lessen congestion on streets, no building or premises shall be erect, altered or used except in accordance with the standards set forth in this Article.

**SECTION 5.1 DENSITY CONTROL SCHEDULE (AREA AND BULK SCHEDULE)**

The following Schedule of Density Control Regulations is hereby adopted and declared to be a part of this Zoning Law and hereinafter referred to as the "Wyalusing Township Density Control Schedule".

Section 5.1 WYALUSING TOWNSHIP DENSITY CONTROL SCHEDULE								
USE	Minimum Lot Size per Use			Minimum Yards (feet)			Maximum Lot Coverage (percent)	Maximum Building Height
	Area (acres)	Width (feet)	Depth (feet)	Front	Rear	Side		
Agriculture	5.00	300	300	60	40	40	10	40 feet
Residential								
central water & central sewer	0.50	100	150	40	40	20	20	35 feet or 2.5 stories
either central water or central sewer	1.00	150	150	40	40	20	15	
on-site water & on-site sewer	1.99	150	150	40	40	20	15	
Public	1.99	150	150	50	50	40	45	40 feet or 3.5 stories
Commercial	0.75	100	100	40	40	30	70	
Manufacturing or Industry	1.99	150	150	50	50*	50*	70	55 feet**
*75 feet where adjoining an existing residential use or a R-Residential District. **Rooftop equipment, processing or storage structures shall not exceed eighty (80) feet in height.								

**SECTION 5.2 CORNER LOTS**

Wherever a side or rear yard is adjacent to a street, the standards for front yards shall apply.

**SECTION 5.3 PROJECTIONS INTO REQUIRED YARDS**

A. The following projections into required yards may be permitted:

1. Open fire escapes - Four (4) feet into side or rear yards.
2. Awnings or movable canopies and overhangs - six (6) feet into any yard.
3. Cornices, eaves, insulation walls and roofs, and other similar architectural features - three (3) feet into any yard.
4. Apparatus needed for the operation of active or passive solar energy systems, including detached solar

collectors, reflectors, piping or duct work, and insulation necessary for efficient utilization thereof.

- B. Any open or enclosed porch or attached carport or garage shall be considered a part of the *principal building* in determination of the size of the required yard or lot coverage. Non-roofed paved terraces shall not be considered a part of the building.
- C. Accessory uses and buildings shall be located in accordance with Section 11.4.

#### **SECTION 5.4 COMPLIANCE WITH MINIMUM AVERAGE RESIDENTIAL DENSITY**

- A. In all districts where residences are permitted, a lot held in single ownership may be improved for residential use according to the minimum lot size per dwelling unit and bulk regulations for each district as set forth in the Density Control Schedule, provided that there shall be no more than one principal building and use on each lot. If two or more principal residential structures are located on the same lot, the minimum average density requirement must be complied with and future partition of the lot must be anticipated by providing adequate width and yards.
- B. A residential lot of required or larger than required size as set forth in this Zoning Ordinance shall not be reduced in size for transfer of ownership if such lot so subdivided will form one or more lots which shall not be in compliance with the requirements for the minimum average residential density for the district in which such lot or lots are situated, except as provided in Article 6.

#### **SECTION 5.5 SIDE YARDS FOR MULTI-FAMILY DWELLING UNITS**

Side yards for semi-detached townhouses or other multi-family dwelling units, where permitted, shall be required at the ends of the total structure only.

#### **SECTION 5.6 DISTANCE BETWEEN PRINCIPAL BUILDINGS ON SAME LOT**

No detached principal building shall be closer to any other principal building on the same lot than the average heights of said buildings.

#### **SECTION 5.7 HEIGHT LIMITATIONS**

Unless otherwise regulated by this Ordinance, height regulations shall not apply to open amusement rides, spires, belfries, cupolas, domes, not used for human occupancy, nor to agricultural buildings (except dwellings), chimneys, ventilators, monuments, water towers, masts and aials, television antennae, public utility structures that are not buildings, silos, chimneys, ventilators, and parapet walls extending not more than four (4) feet above the regulated height of the building, skylights, bulkheads, and ornamental or necessary mechanical appurtenances. Any such structure which exceeds a height of sixty (60) feet shall be considered a conditional use in all districts except in the Industrial District where the threshold shall be eighty (80) feet.

#### **SECTION 5.8 TWO OR MORE NON-RESIDENTIAL USES ON A LOT**

In the case of non-residential uses, there shall be no limit on the number of uses or structures on a single parcel provided all other standards of this Ordinance are satisfied. This shall not apply to adult businesses, junkyards, natural resource uses, solid waste facilities, or other uses with a special size requirement listed in this Ordinance, in which case the parcel size shall be increased to provide for the minimum land area for each use on the parcel.

#### **SECTION 5.9 RESIDENTIAL AND NON-RESIDENTIAL ON THE SAME LOT**

One residential unit per property shall be permitted in association with a non-residential use(s) without an increase in the minimum lot size requirement provided said unit is attached to and is an integral part of the principal non-residential structure. The residential unit shall be occupied only by the owner or manager of the non-residential use(s). Any additional residential dwelling units, if provided for in the District, shall be permitted on the same lot as a non-residential use only if the lot is of sufficient size to meet the residential unit density required by this Zoning Ordinance in addition to the land area needed to meet the density requirement for the non-residential use.