

**GREGG TOWNSHIP  
UNION COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2019-01**

**AN ORDINANCE AMENDING SECTION 15.5 OF THE OFFICIAL ZONING ORDINANCE OF GREGG TOWNSHIP, ADOPTED JULY 7, 2014, UNION COUNTY, PENNSYLVANIA PROVIDING DESIGN STANDARDS FOR DRIVEWAYS AND ACCESS DRIVES TO STREETS;**

**SECTION 1. INTRODUCTION**

**WHEREAS**, Gregg Township enacted an Official Zoning Ordinance in 1968 and the same has been amended from time to time, the last amendment being on July 7, 2014;

**WHEREAS**, the Board of Supervisors of Gregg Township, Union County, Pennsylvania, wishes to enact additional provisions to Section 15.5 of the Zoning Ordinance adopted July 7, 2014 to minimize traffic congestion, control street access and encourage the appropriate development of street and road access by providing design standards for the construction or creation of all new driveways in the Township;

**NOW THEREFORE, BE IT ORDAINED AND ENACTED THAT THE OFFICIAL ZONING ORDINANCE OF GREGG TOWNSHIP, UNION COUNTY, PENNSYLVANIA, ADOPTED JULY 7, 2014, SPECIFICALLY, SECTION 15.5 THEREOF, BE AMENDED AS FOLLOWS:**

**SECTION 2. PURPOSE**

The purpose of the Ordinance is to minimize traffic congestion, control street access and encourage the appropriate development of street and road access by providing design standards for the construction or creation of all new driveways in the Township.

**SECTION 3: SECTION 15.5 OF THE ZONING ORDINANCE ADOPTED ON JULY 7, 2014 IS AMENDED TO READ AS FOLLOWS:**

**Supplemental Lot Regulations**

**15.1 Access To Structures**

- 15.1.1** Every dwelling or commercial structure hereafter erected or moved shall be on a lot adjacent to a public street, or with access by a private street approved under the applicable Subdivision and Land Development Ordinance. All structures shall be located on lots so as to provide safe and convenient access for servicing, fire protection, and required off-street parking.
- 15.1.2** Ingress and egress from buildings shall be placed in relation to the finished entrance floor levels and the natural terrain and in a safe manner which will minimize concentration of traffic.
- 15.1.3** Pedestrian access to public buildings, open space and parking facilities shall include considerations for disabled and handicapped persons and comply with the current editions of ADA standards and the PA Uniform Construction Code PA Act 45 of 1999.

**15.2 Accessory Uses and Structures - Zoning Permit Required**

Accessory structures shall comply with all requirements for the principal structure except where specifically modified by this Ordinance and shall comply with the following limitations:

- 15.2.1 Fences or walls** - not exceeding six (6) feet may be constructed in required yards provided that:
- 15.2.1.1** The vision of motor vehicle operators is not impeded at intersecting streets or driveways (See Intersection Visibility regulations found in Section 15.7).
- 15.2.1.2** Fences and walls, except those designated for agricultural purposes, shall be setback a minimum of two (2) feet from any lot line to facilitate their maintenance. Fences can be located on the property line or at a distance of less than two (2) feet if the written permission of the neighbor is furnished to the Zoning Officer. The finished side of a fence shall face to the lot exterior.
- 15.2.1.3** If applicable, compliance with township floodplain regulations (see Article 18) shall be maintained.

**15.2.2 Accessory Storage or Utility Buildings and Detached Garages In the Village and Rural Residential Districts:**

Storage, utility buildings or other accessory structures may be maintained accessory to the dwelling. It shall not exceed a building height of 15 feet or one and one-half (1½) stories, except two-story garages, provided that said garage is not for human occupancy. The accessory structure shall not be located in the front yard of the principal building and shall be separated a minimum of ten (10) feet from any structure and shall be located no closer than six (6) feet from any property line.

**15.2.3 Accessory Storage or Utility Buildings, Detached Garages All Other Districts**

In all other Districts, accessory structures and uses, unless specified elsewhere within this section, shall maintain the same minimum yards and maximum height requirements as is required for the principal structure.

**15.2.4 Pump Island Canopies -** where used to protect pump islands at gas stations or convenience marts shall be permitted in any yard provided that a 10 ft. minimum building setback line is maintained and the height of the canopy shall not exceed 24 ft.

**15.2.5 Accessory Apartment**

An accessory apartment may be constructed for a direct family member (parent, sibling or child) within an existing single-family detached dwelling pursuant to the following standards.

**15.2.5.1** The lot upon which an accessory apartment is located shall meet the minimum lot area requirements for a single-family detached dwelling set forth in the applicable zoning district.

**15.2.5.2** Accessory apartments may only be authorized for structures which were erected prior to the adoption of this Ordinance. No more than one (1) accessory apartment shall be permitted on a lot.

**15.2.5.3** The habitable floor area of the accessory apartment shall be a minimum of 400 ft<sup>2</sup> and a maximum of 800 ft<sup>2</sup>, except that the area of the accessory unit shall not exceed 25% of the habitable floor area of the original dwelling.

- 15.2.5.4** The architectural treatment of the structure shall be such as to portray the character of the single-family detached dwelling. Only one main entrance will be permitted on the front side of the building; all other entrances shall be at the side or in the rear.
- 15.2.5.5** One dwelling must be owner-occupied.
- 15.2.5.6** Sewage facilities shall be provided which are capable of treating the volume of effluent anticipated from both the accessory apartment and the existing dwelling. Where connection to a public sewage system can not be made, certification from the municipal Sewage Enforcement Officer, verifying the acceptability and /or suitability of an existing sub-surface system or a sewage permit for the installation of a new system shall be submitted as part of an application for an accessory apartment use.
- 15.2.5.7** One off-street parking space shall be provided for the accessory apartment in addition to the number required for the existing dwelling (see Section 15.10).

**15.2.6 Temporary Roadside Stands**

Temporary roadside stands or shelters may be permitted in all Zoning Districts. All application for such uses shall also meet the standards outlined below.

- 15.2.6.1** Temporary roadside stands shall not exceed 400 square feet in size and shall be removed from the site during the seasons(s) when they are not in use for the sale or display of products.
- 15.2.6.2** Where a temporary roadside stand is established, a minimum of three (3) off-street parking spaces, located outside of the adjoining street right-of-way, shall be provided.
- 15.2.6.3** Temporary stands shall be set back at least 20 feet from the edge of the adjoining street right-of-way and at least 50 feet from any intersection.
- 15.2.6.4** A Zoning Permit shall be required for temporary roadside stands. The permit is valid for a period of six (6) months from the date of issuance; one permit is allowed per property each calendar year.

**15.2.6.5** All signs used to advertise such facilities shall meet the requirements set forth in Article 20 of this Ordinance and shall be removed when the temporary stand is removed.

**15.2.6.6** Temporary roadside stands shall be limited to the sale of farm, nursery, or greenhouse products.

**15.2.6.7** A Highway Occupancy Permit may be required.

**15.3 Accessory Uses and Structures - Exempt from Permit Requirement - Conformance with the Following Specifications Shall Be Maintained:**

Certain accessory uses and structures shall be exempt from obtaining a zoning permit provided that they comply with all requirements specified below:

**15.3.1** Fences designated for agricultural purposes may be located on the property line.

**15.3.2** A single storage building and other accessory structures such as swing sets, play gyms, playhouses, doghouses, and dog runs of the dimension 12 x 12 ft. or smaller shall comply with all Section 15.2.2 and Section 15.2.3 requirements.

**15.3.3** Landscape plantings may be constructed in required yards provided that the vision of motor vehicle operators is not impeded at intersecting streets or driveways (See Intersection Visibility regulations found in Section 15.7).

**15.3.4** **Swimming Pools:** Any structure intended for swimming, recreation bathing or wading that contains or is designed to contain water over 24 inches (610 mm) deep. This includes in-ground, above and on-ground pools; hot tubs, spas and fixed in place wading pools.

**15.3.4.1** Locations: The swimming pool shall be located only to the rear or side of the principal building. It shall be located no closer than fifteen (15) feet to the side or rear lot lines, and no closer than twenty-five (25) feet to the front lot line.

**15.3.4.2** Enclosure and Access Considerations: Swimming pool installations including required fencing shall be governed by the current adopted edition of the International Residential Code for One- and Two-Family Dwellings.

**15.3.5** Private tennis courts shall be permitted within required side or rear yard areas provided that such facility shall not be less than ten (10)

feet from side or rear property lines, and shall comply with Floodplain regulations if appropriate.

**15.3.6** Sidewalks and driveways may be located within front, rear, and side yards and do not require zoning permits.

**15.3.7 Vehicle Hobby Shops**

A Vehicle Hobby Shop may be considered as an Accessory Use which is run from the Owner's household garage. Such use involves the repair or restoration of either licensed or unlicensed or Junk Motor Vehicles as a hobby for the personal use or interest of the Owner, such as classic or antique automobiles or antique farm tractors or machinery, and not for money, payment, employment or compensation from others. A Vehicle Hobby Shop shall comply with Section 15.16 Storage of Junk and Certain Vehicles at all times.

**15.4 Conversion or Replacement of Buildings**

**15.4.1** The conversion of any non-residential building into a dwelling, or the conversion of any dwelling so as to accommodate an increased number of dwelling units or households, shall be permitted only within a district in which a new building for a similar occupancy would be permitted under this Ordinance. The resulting dwelling(s) shall comply with all requirements governing new construction in such district.

**15.4.2** A mobile home which has been replaced or discontinued as a residential dwelling shall be removed from the lot within sixty (60) days of the termination of the residential use. A permit may be obtained from the Zoning Officer to defer removal of the mobile home pending its sale for a period not to exceed six months. The fee for said permit shall be established by resolution of the Board of Supervisors.

**15.4.3** A mobile home which is no longer suitable for residential purposes shall not be converted to an accessory structure.

**15.5 Design Standards for Driveways and Access Drives To Streets**

To minimize traffic congestion and control street access in the interest of public safety, and to encourage the appropriate development of street and road access, the following standards shall apply to the construction or creation of all new driveways

- 15.5.1** Every building or lot shall have access to a public street or an approved private street. Where possible, residential lots shall access onto a local street rather than a collector road or arterial highway. Driveways and other access onto State highways are governed by PennDOT and Compliance shall be required with permit requirements of PennDOT. The PennDOT permit for a driveway or access point shall be secured prior to the issuance of a zoning permit. Driveways and other access onto Township roadways requires the written approval of the Township roadmaster. This written approval will be obtained prior to construction of the driveway or other access. An access normally used for farm equipment to fields is exempt from this requirement. The written approval for a driveway or access point shall be secured prior to the issuance of a zoning permit.
- 15.5.2** A scaled drawing of proposed off-street parking and loading areas, access drives, and walks shall be submitted as part of any required plot plan.
- 15.5.3** The general layout for driveways shall be such that there will be no need for motorists to back over or into the public street right-of-way. Single and two-family dwelling uses shall be exempt from this requirement.
- 15.5.4** Access to the public highway or street shall be controlled in the interest of public safety. The off-street parking, loading and service areas on all properties used for any purpose other than single-family residences required by this Article shall be physically separated from the highway or street by a curb, pipe rail or fence and/or planting strip.
- 15.5.5** Driveways accessing Township roadways with a paved surface shall be paved from the edge of the Township road, extending at minimum to the edge of the Township road right-of-way with a pavement layer. The pavement layer shall be installed to meet the township road at the same elevation and the edge of the Township road shall be cut and sealed at the junction. The minimum pavement layer will be 6 inches of 2A subbase, 3 inches of 25mm base course, and 1 inch of 9.5mm wearing course. Additional depths of base course, where normal operations of a single unit truck or larger may be required. Minimum material depths for these driveways will be 6 inches of 2A subbase, 4 inches of 25mm base course, and 1 ½ inches of 9.5mm wearing course. Access to unpaved Township roads shall be constructed of a minimum of 6" 2A subbase. Driveways and accesses shall be constructed of a durable, all weather material, maintained in good condition and not exceed thirty-five (35) feet in width,

excepting as increased by the curb radii. The number of driveways shall not exceed two (2) per lot on any one (1) street frontage. Residential lots with less than 200 feet of street frontage shall be limited to one driveway.

**15.5.6** Driveways should be located where street alignment and profiles are favorable, where there are no sharp curves or steep grades, and where sight distance related to the driveway is sufficient to avoid creating hazardous traffic conditions.

**15.5.7** Driveways shall be designed and constructed in such a manner to avoid impairing drainage within a street right-of-way or any adjacent area. Where determined necessary by a PennDOT or township official, a drainage pipe of at least fifteen (15) inch diameter or equivalent shall be installed under the driveway at the property owner's expense. The size or diameter of such pipe and the installation, location, slope and angle of intersection of any new driveway accessing onto a Township road shall be approved by the appropriate official. The pipe shall be maintained and cleaned by the property owner. The driveway grade shall run to the ditch line rather than to the roadway pavement. If a pipe is not required, the driveway shall be constructed in such a manner as to allow any parallel drainage to cross the driveway without impeding the flow.

**15.5.8 Minimum Dimensional Requirements for Driveways**

Driveways shall not cross a street right-of-way line within:

**15.5.8.1** 40 feet of the right-of-way line of the intersection of a local street, nor within 100 feet of the right-of-way line of the intersection of a collector road or arterial highway;

**15.5.8.2** five (5) feet of a fire hydrant, catch basin or drainage inlet;

**15.5.8.3** three (3) feet of a property line unless adjoining property owners mutually agree to a common driveway.

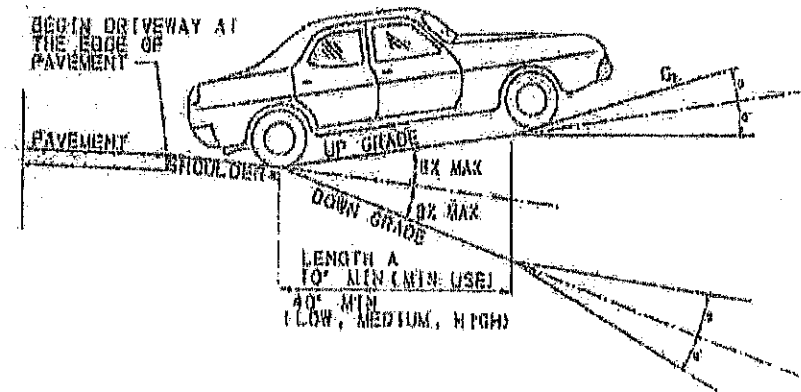


**15.5.9 In addition to the above, the following driveway design guidelines shall be met:**

Type of Development	Driveway		Minimum Curb Radius <sub>6</sub>	Minimum Intervals	Minimum Sight Distance <sub>4</sub>
	Min. Width	Max. Grade <sub>1</sub>			
Single Family Residential	10 ft.	15%	10 ft.	40 ft. <sub>2</sub>	150 ft.
Multi-Family Residential <sub>5</sub>	15 ft.	12%	15 ft.	40 ft. <sub>3</sub>	200 ft.
Non-Residential	15 ft.	8%	15 ft.	40 ft. <sub>3</sub>	300 ft.

1. All driveways shall provide a stopping or leveling area which extends from the edge of the shoulder or curb to the right-of-way line. This leveling area shall not exceed a maximum of 5% in grade nor intersect the shoulder of roads so as to produce a change in grade exceeding 8%. The leveling area shall intersect the street or road at an angle of no less than 60° and preferably 90°.
2. Between an intersection and the first driveway only.
3. Between any two (2) points of access, including both driveway and public streets.
4. Minimum sight distance shall be measured from the point of intersection of the driveway centerline and the street right-of-way line to a point on the cartway centerline. No significant obstructions or plantings higher than twenty-four (24) inches or tree limbs lower than fourteen (14) feet shall be permitted within this area.
5. For the purpose of driveway design, the multi-family residential design criteria shall be used for driveways providing access to five or more dwelling units.
6. Where drop curbs are used to provide driveway access, the minimum width of the drop curb shall be 20 feet for single family residential use and 35 feet for multi-family and non-residential uses. The transition from the normal driveway width to the

width of the dropped curb shall begin 10 feet back from the edge of the curb for single family residential and 15 feet back for multi-family and non-residential.



\* THE SHOULDER SLOPE USUALLY VARIES FROM 4% TO 6%. HOWEVER, THE SHOULDER SLOPE SHOULD BE MAINTAINED WHEN CONSTRUCTING THE DRIVEWAY.

FOR GRADE CHANGES GREATER THAN THOSE INDICATED ABOVE, VERTICAL CURVES AT LEAST 3m (10ft) LONG MUST BE CONSTRUCTED AND LENGTH "A" MUST BE INCREASED.

G<sub>2</sub> GRADES MUST BE LIMITED TO 15% FOR MINIMUM USE DRIVEWAYS AND 5% TO 8% FOR LOW, MEDIUM, OR HIGH VOLUME DRIVEWAYS WITHIN THE RIGHT-OF-WAY.

	MAXIMUM GRADE CHANGE (D)	
	DESIRABLE	MAXIMUM
HIGH VOLUME DRIVEWAY	0%	+/-3%
MEDIUM VOLUME DRIVEWAY	+/-3%	+/-6%
LOW VOLUME DRIVEWAY	+/-6%	CONTROLLED BY VEHICLE CLEARANCE

15.5.10 Other than mailboxes and newspaper receptacles approved by the Township, no obstructions shall be erected, installed or permitted within the said area designed by the Township for drainage except upon the written consent of the Township.

**SECTION 4. REPEALER**

All Ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance hereby adopted are hereby repealed.

**SECTION 5. SEVERABILITY**

The provisions of this Ordinance shall be severable, and if any provision hereof shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as the legislative intent of the Township that this Ordinance would have been amended as if

such unconstitutional, illegal or invalid provision or provisions had not been included herein.

**SECTION 6. EFFECTIVE DATE**

**DULY ENACTED AND ORDAINED** this 3<sup>rd</sup> day of June 2019, by the Board of Supervisors of Gregg Township in public session as duly assembled.

**BOARD OF SUPERVISORS OF GREGG TOWNSHIP**

By:

David E. Mason  
Chairman

Mark A. Klein  
Vice-Chairman/Supervisor

[Signature]  
Supervisor

ATTEST:

Jodi Will  
Secretary

(SEAL)

**CERTIFICATION**

I, Jodi Willow, Secretary of Gregg Township, hereby certify that the foregoing is a true and correct copy of an Ordinance, duly adopted by the majority vote of the Supervisors of Gregg Township, at a meeting held on the 3<sup>rd</sup> day of June, 2019 and that the minutes of said meeting showing how each member voted have been duly recorded in the official minutes of said Local Government Unit.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 3<sup>rd</sup> day of June, 2019.

Jodi Willow  
Secretary