

BOROUGH OF CLARKS SUMMIT

LACKAWANNA COUNTY, PENNSYLVANIA

ORDINANCE NO. 2008 - 06

AN ORDINANCE OF THE BOROUGH OF CLARKS SUMMIT TO AMEND THE BOROUGH OF CLARKS SUMMIT ZONING ORDINANCE OF JANUARY 30, 2002 (ORDINANCE 2002-01) TO REVISE THE OFF-LOT PARKING REQUIREMENTS AND ESTABLISH SUBMISSION DATES FOR APPLICATIONS BEFORE THE PLANNING COMMISSION.

BE IT HEREBY ORDAINED AND ENACTED by the Borough Council of the Borough of Clarks Summit, Lackawanna County, Pennsylvania, by the authority of and pursuant to the provisions of Act of July 31, 1968, P.L. 805, No. 247 of the General Assembly of the Commonwealth of Pennsylvania, as reenacted and amended, known and cited as the *Pennsylvania Municipalities Planning Code*; that the Borough of Clark Summit Zoning Ordinance of January 30, 2002 (Ordinance 2002-01), as amended, is hereby amended as follows:

ITEM 1 - AMEND §504.11 TO READ AS FOLLOWS:

504.11 Off-Lot Parking

The parking required by this §504 for a principal use may be provided on a different lot as a conditional use in accord with the following requirements:

- A. Zoning District - Off-lot parking shall not be permitted in any R-1, R-2, R-3 or RP District. Off-lot parking for an applicant's proposed use in any CC, HC, HC1, MI, and RU District may be provided in any Zoning District which is not an R-1, R-2, R-3 or RP District.
- B. Availability - The parking spaces on the remote lot shall be available at all times required to serve the proposed use for which the parking is intended. The parking availability shall be guaranteed by ownership, lease, or other agreement acceptable to the Borough which shall be submitted in a format suitable to be filed of record with the Office of the Recorder of Deeds of Lackawanna County if so required by Borough Council. The loss of any required off-lot parking shall constitute a violation of the any conditional approval and result in the revocation of the zoning permit.
- C. Distance - All parking spaces on the remote lot shall be located no more than four hundred (400) feet from the main public entrance of the proposed use to be served by the parking.
- D. Identification - All parking spaces on the remote lot shall be clearly marked for the sole use of the proposed use to be served by the parking.
- E. Location - No off-lot parking shall be approved which, in the opinion of the Borough Council, will be dangerous to the public due to the crossing of any street or for any other identified reason. In no case shall any off-lot parking be approved if it requires pedestrians to cross State Street to the East of Grove street or to the West of Highland Avenue.

ITEM 2 - ADD §1102.3,H AS FOLLOWS:

- H. Submission to Planning Commission - Any application which requires review by the Borough Planning Commission shall be submitted to the Commission, complete in form and content, not less than twelve (12) business days prior to the date of the Planning Commission meeting at which the Applicant is requesting consideration of the application. Any revised application, plan or other information related to the application for review at a subsequent Planning Commission meeting shall be submitted not less than seven (7) business days before such meeting.

SEVERABILITY

Should any section, subsection, clause, provision or other portion of this Ordinance be declared invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance; the Board of Supervisors having adopted this Ordinance as if such invalid portions had not been included therein.

EFFECTIVE DATE

This Ordinance shall become effective immediately upon adoption.

ADOPTION

ORDINANCE ORDAINED AND ENACTED this ____ day of _____, 2008, by the Borough Council of the Borough of Clarks Summit, Lackawanna County, Pennsylvania, to be effective immediately.

BOROUGH OF CLARKS SUMMIT

By: _____
Council President

ATTEST:

Borough Secretary

APPROVED this ____ day of _____, 2008