

ORDINANCE NO. 2003-01

COVINGTON TOWNSHIP
LACKAWANNA COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING THE COVINGTON TOWNSHIP ZONING ORDINANCE OF AUGUST 23, 1989, TO:

- ☞ ITEM 1 - ADD, AMEND AND DELETE DEFINITIONS..... 1
- ☞ ITEM 2 - PROVIDE FOR *FIREWOOD CUTTING AND SALES, ACCESSORY USE*, IN ALL DISTRICTS EXCEPT MP-RV AND C-1..... 2
- ☞ ITEM 3 - ADD *STORAGE YARDS FOR FOREST PRODUCTS AND STONE* TO THE M-1 DISTRICT..... 2
- ☞ ITEM 4 - ADD *FORESTRY ENTERPRISES* AS A PRINCIPAL PERMITTED USE IN ALL DISTRICTS..... 2
- ☞ ITEM 5 - PROVIDE STANDARDS FOR *FIREWOOD CUTTING AND SALES, ACCESSORY USE*..... 2
- ☞ ITEM 6 - ADD STANDARDS FOR STORAGE YARDS FOR FOREST PRODUCTS AND STONE..... 3

BE IT HEREBY ORDAINED AND ENACTED by the Board of Supervisors of Covington Township, Lackawanna County, Pennsylvania, by authority of and pursuant to the provisions of Act of 1968, P.L. 805, No. 247 of the General Assembly of the Commonwealth of Pennsylvania, approved July 31, 1968, as reenacted and amended, known and cited as the "Pennsylvania Municipalities Planning Code," as follows:

The Covington Township Zoning Ordinance of August 23, 1989, as amended, is hereby amended as follows:

☞ **ITEM 1 - Add or amend the following definitions--**
ADD-

Firewood Cutting and Sales, Accessory Use: The cutting of trees by a property owner on his property for sale as firewood. This may include the storage of cut trees and firewood, and customers on the site to purchase firewood, but no other retail sales. The importing of trees or firewood from any property to any other property for cutting or sale shall not be considered *firewood cutting and sales, accessory use*. (See *storage yard for forest products and stone*.)

Storage Yard For Forest Products And Stone: An area, not on the same parcel where the products are initially harvested or gathered, to which trees, firewood, other forest products, flag stone, landscaping stone, or wall stone are hauled and stored, (this may include the storage of cut trees and firewood and customers on the site to purchase firewood, but no other retail sales) and which does not involve any of the following: the operation of a sawmill, the operation of any other wood manufacturing business, or the operation of any natural resources processing.

AMEND-

Forestry Enterprise: The management of forests and timberlands when practiced in accord with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any of the following: a land development, the operation of a sawmill, or the operation of any other wood manufacturing business. ~~Establishments engaged in the operation of timber tracts, tree farms, forest nurseries, and the gathering of forest products, but excluding sawmills and other wood manufacturing businesses.~~

DELETE-

Timber/Firewood Storage and Shipping Operation: Any operation which involves the transfer or storage of logs and/or firewood on a property other than the property from which the logs were harvested.

- ☞ ITEM 2 - Add *firewood cutting and sales, accessory use* as an accessory use in the RR, R-1, R-2, C-1, C-2, M-1 and SC Districts.
- ☞ ITEM 3 - Delete the use *timber/firewood storage and shipping operations* from the principal permitted uses in the M-1 Manufacturing District, and replace it with the use *Storage Yards for Forest Products and Stone*.
- ☞ ITEM 4 - Add forestry enterprises as a principal permitted use in all Zoning Districts.
- ☞ ITEM 5 - Add Section 503.9 to read as follows:

503.9 Firewood Cutting and Sales. Accessory Use

Firewood cutting and sales shall be permitted as an accessory use in all zoning districts except the MP-RV District in accord with the requirements of this Section 503.9 and other applicable standards of this Ordinance.

A. Permitted Activities - The cutting of trees for sale as firewood from the premises on which the trees are growing shall be permitted. However, the importing to the premises of trees for cutting into firewood for sale or the importing of firewood for sale shall not be permitted as *firewood cutting and sales, accessory use*.

B. Hours of Operation - Firewood cutting shall be undertaken only between the hours of 8:00 a.m. and dusk.

C. Access Road - Access roads to Township and State roads shall be in accord with a valid highway occupancy permit. The access road shall be adequately stabilized with stone, shale or other material to minimize soil erosion and the tracking of mud onto the public road.

D. Stabilized Area - The area used for processing and storage of firewood shall be adequately stabilized with stone, shale or other material to minimize soil erosion and the tracking

of mud onto the public road, and shall not be less than fifty (50) feet from any stream, water body or wetland.

E. Parcel Size: Setbacks - The *firewood cutting and sales, accessory use* shall meet the following minimum requirements:

ZONING DISTRICT	MINIMUM PARCEL SIZE	MINIMUM SETBACK FOR PROCESSING AND STORAGE AREAS FROM:	
		PROPERTY LINES INCLUDING ROAD RIGHT-OF-WAY	ANY EXISTING PRINCIPAL STRUCTURE NOT LOCATED ON PREMISES
RR, SC	5 acres	50 feet	150 feet
R-1, R-2	10 acres	50 feet	150 feet
C-1,C-2	1 acre	normal district setbacks for principal structures	
M-1	5 acres	normal district setbacks for principal structures	
MP-RV	not permitted		

☛ **ITEM 6 - Add the following Section 541:**

541 Storage Yards for Forest Products and Stone

The intent of this section is to provide standards for access to public roads and setbacks for storage yards for forest products and stone. (See definition of *storage yards for forest products and stone* in Article III.)

541.1 Access to Public Roads

A. Highway Occupancy Permit - Access roads to Township and State roads shall be in accord with a valid highway occupancy permit.

B. Stabilization - The access road and all processing and storage areas shall be adequately stabilized with stone, shale or other material to minimize soil erosion and the tracking of mud onto the public road.

C. Weight Limitations - All operations shall comply with all posted weight limits and road bonding regulations.

D. Use of Public Roads - Felling or skidding on or across any public road shall be prohibited without the express written authorization of the Township or the Pennsylvania Department of Transportation, as applicable.

E. Road Ditches - Ditches on the public road shall be cleaned and graded as necessary to be maintained to pre-harvest condition.

541.2 Setbacks

ZONING DISTRICT	MINIMUM PARCEL SIZE	MINIMUM SETBACK FOR PROCESSING AND STORAGE AREAS FROM:	
		PROPERTY LINES INCLUDING ROAD RIGHT-OF-WAY	ANY EXISTING PRINCIPAL STRUCTURE NOT LOCATED ON PREMISES
RR, SC	5 acres	75 feet	150 feet
R-1, R-2	10 acres	75 feet	150 feet
C-1, C-2	1 acre	normal district setbacks for principal structures	
M-1	5 acres	normal district setbacks for principal structures	
MP-RV		not permitted	

A. Residential and Nonresidential Buildings - Storage yards shall not be less than one hundred fifty (150) feet from any existing residential, commercial, institutional, public or semi-public building, other than such building located on the property on which the landing is located.

B. Property Lines - Storage yards shall not be less than seventy-five (75) feet from any property line.

C. Public Roads - Storage yards shall not be less than fifty (50) feet from any public road right-of-way.

D. Streams, Water Bodies and Wetlands - Storage yards shall be a minimum of fifty (50) feet from any stream, water body or wetland and must comply with all federal/state statutes and regulations.

E. Slope - Storage yards shall be located on gently sloping ground that will provide good drainage. Low spots and poorly drained places shall be avoided.

541.3 Hours of Operation - Loading, Unloading, Transporting

Weekdays 7:00 AM to Dusk

Weekends 8:00 AM to Dusk

BE IT HEREBY ENACTED AND ORDAINED THIS 1 DAY OF APRIL 2003
by the Board of Supervisors of Covington Township, Lackawanna County, Pennsylvania.

Thomas M. Yebo

Marlene M. Beavers

Chuck G. Linder

ATTEST

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