



## MEMORANDUM

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The purpose of this Memo is to provide the public with a comprehensive list of changes made between the 2022 Proposed Zoning Ordinance (introduced by City Council last year) and the most current version of the 2023 Proposed Zoning Ordinance. Many of these changes come from recommendations from the County Regional Planning Commission, minor typos, and collaboration between neighborhood associations and residents.

### Article 2 – Definitions

- Section 2.2: Changed “Agritourism” definition from “involvement” to “volunteering”
- Section 2.2: Removed “Airbnb” definition and added term to “Short Term Rental” definition (unmentioned in ordinance and duplicates Short Term Rental definition)
- Section 2.2: Fixed “Amusement Park” typo of “...miniature **golf**...”
- Section 2.2: Fixed “Bank or Financial Institution” typo of “...transmission of **funds**.”
- Section 2.2: Changed “Bed and Breakfast” definition to specify a limit of no more than 14 consecutive days per visitor.
- Section 2.2: Changed “Brewery” definition to clarify “alcoholic” is a “similar” beverage and clarified restaurant vs brew pub difference
- Section 2.2: Fixed reference to undefined “trade school” in “College or University”
- Section 2.2: Fixed duplicate entry of “Craftsman-Artisan Manufacturing”.
- Section 2.2: Changed “Crematorium” to allow as a principal use”
- Section 2.2: Fixed “Crop farming” exclusions with updated definition titles, removed undefined uses, and added reference to Keeping of Pets Regulations
- Section 2.2: Fixed “Day Care Center, Child” regulations from Section 6.4.T to 6.4.U
- Section 2.2: Fixed typo reference in “Development” definition
- Section 2.2: Added “Dwelling” definition
- Section 2.2: Fixed “Dwelling: Accessory” definition to allow it as a permitted use, as well as specification of granny flat/ garage apartment
- Section 2.2: Renamed “Dwelling Garden Apartment” to “Dwelling: Townhouse”
- Section 2.2: Removed type to construction types in “Dwelling: Apartment Building”
- Section 2.2: Added “Electric Vehicle Charging Station” definition
- Section 2.2: Fixed “Farm Cafes” definition to include missing sentences and corrected Scranton’s DEP region number to 3
- Section 2.2: Added non-enclosure sentence to “fence” definition for fences that aren’t completely enclosed.
- Section 2.2: Fixed duplicate wording in “Golf Course or Country Club.”
- Section 2.2: Adjusted “Group Care Facility” definition to 9 residents and added transitional housing use
- Section 2.2: Adjusted “Heliport” definition for restrictions on flights
- Section 2.2: Fixed typo reference to undefined “health facility” in “Hospital” definition
- Section 2.2: Added definition of “Junk”



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- Section 2.2: Fixed typo in “Kennel” definition of “...arranged for **care** of...”
  - Section 2.2: Removed old ordinance reference in “New Construction” definition
  - Section 2.2: Removed duplicate Subsection C(a) entry for “On Premise Sign” definition
  - Section 2.2: Clarified difference between “Recreation Facility, Private” definition and “Commercial Recreation Facility” definition
  - Section 2.2: Redefined “Research and Development Facility”
  - Section 2.2: Added “Residential lot”
  - Section 2.2: Added “Residential use”
  - Section 2.2: Changed “Restaurant, Carryout” definition to include off-premise dining
  - Section 2.2: Changed “School, Private” and “School, Public” definitions to differentiate the two
  - Section 2.2: Changed “Short-term Rental” definition to clarify as “temporary basis” and added regulation of maximum of 7 days.
  - Section 2.2: Changed “Shooting/Archery Range, Indoor” and “Shooting/Archery Range, Outdoor” definitions to include archery
  - Section 2.2: Added on-site electricity generation to “Solar System, Building and/or Ground-Mounted” definition
  - Section 2.2: Added (WCF) clarification for “Substantial Change”
  - Section 2.2: Removed undefined “adult theater” from “Theater” definition
  - Section 2.2: Added e-bike to “Trails” definition
  - Section 2.2: Fixed typo on “Violation” definitions to “...requirements of this **ordinance**”
  - Section 2.2: Fixed typo on “...storage of **goods**”
  - Section 2.2: Fixed typo reference to “solid waste disposal facility” in “Waste-to-Energy Facility” definition
  - Section 2.2: Redefined “Wastewater Treatment Plant” to correct definition
  - Section 2.2: Removed “Wind Energy Conversion System (WEC)” definition (unmentioned in ordinance and duplicates Wind Energy System)
  - Section 2.2: Fixed typo in “Yard” definition to “...unoccupied and **unobstructed**...”
- “Chapter” with “ordinance” under Front Yard and Rear Yard

### **Article 3 – District Regulations and Zoning Map**

- Section 3.1(A)(2): Adjusted description of R-9 and R-10 to reflect the existing transect uses
- Section 3.1(A)(4)(a): Fixed typo for “INST – **Town-City** Institutional District” to match City Zoning Transect #17
- Section 3.5 Transects:
  - o CONV
    - Removed Oil and Gas Extraction as Principal Use
    - Added EVCS as Accessory Use
    - Added farm café as Accessory Use
  - o REC
    - Removed Oil and Gas Extraction as Principal Use
    - Removed Waste-to-Energy Facility as Accessory Use
    - Added EVCS as Accessory Use



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- Added Dwelling: ADU as Accessory Use
- R-6
  - Removed Oil and Gas Extraction as Principal Use
  - Added EVCS as Accessory Use
  - Added Dwelling: ADU as Accessory Use
  - Removed Wineries/Tasting Facilities as Accessory Use
- R-8
  - Removed Oil and Gas Extraction as Principal Use
  - Changed Short Term Rentals to SE as Accessory Use
  - Added EVCS as Accessory Use
  - Added Dwelling: ADU as Accessory Use
- R-9
  - Increased Lot Size to 4,000 sf
  - Increased Setback Line to 40 ft
  - Increased Front Setback to 20 ft
  - Removed Bed-and-Breakfast as Principal Use
  - Changed Dwelling: conversion apartment to SE as Principal Use
  - Removed Oil and Gas Extraction as Principal Use
  - Added EVCS as Accessory Use
  - Added Dwelling: ADU as Accessory Use
  - Changed Short Term Rentals to SE as Accessory Use
  - Changed Community Gardens to P as Accessory Use
  - Removed Wineries/Tasting Facilities as Accessory Use
- R-10
  - Added Dwelling: townhouse as Principal Use
  - Removed Oil and Gas Extraction as Principal Use
  - Added EVCS as Accessory Use
  - Added Dwelling: ADU as Accessory Use
  - Changed Short Term Rentals to SE as Accessory Use
  - Changed Community Gardens to P as Accessory Use
  - Removed Wineries/Tasting Facility as Accessory Use
- R-11
  - Increased Lot Size to 4000 sf
  - Removed Oil and Gas Extraction as Principal Use
  - Changed Short Term Rental to SE as Accessory Use
  - Added EVCS as Accessory Use
  - Added Dwelling: ADU as Accessory Use
  - Changed Community Garden to P as Accessory Use
  - Removed Wineries/Tasting Facilities as Accessory Use
- N
  - Removed Oil and Gas Extraction as Principal Use
  - Added Medical Marijuana Dispensary as Principal Use
  - Added EVCS as Accessory Use
  - Added Dwelling: ADU as Accessory Use
  - Changed Community Garden to P as Accessory Use



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- D
  - Changed Wineries/Tasting Facilities to SE as Accessory Use
- D
  - Corrected parking to reflect Section 6.4(PP)(b) in D zone
  - Removed Oil and Gas Extraction as Principal Use
  - Added EVCS as Accessory Use
  - Changed Galleries to P as Accessory Use
- INST
  - Decreased Height to 45 ft
  - Decreased Front Setback to 15 ft
  - Decreased Side and Rear Setback to 10 ft
  - Changed impervious surface coverage in INST to 90%
  - Removed Bar or Tavern as Principal Use
  - Removed Oil and Gas Extraction as Principal Use
  - Removed Heliport as Principal Use
  - Added EVCS as Accessory Use
  - Changed Community Garden to P as Accessory Use
  - Removed Heliport as Accessory Use
  - Removed Waste-to-Energy Facility as Accessory Use
  - Removed Wineries/Tasting Facilities as Accessory Use
- CIV
  - Decreased Height to 100 ft
  - Increased Impervious Surface Coverage to 90%
  - Decreased all setbacks to 10 ft
  - Removed Oil and Gas Extraction as Principal Use
  - Changed Community Center or Library to P as Accessory Use
  - Changed Community Garden to P as Accessory Use
  - Added EVCS as Accessory Use
  - Removed Waste-to-Energy Facility as Accessory Use
  - Removed Wineries/Tasting Facilities as Accessory Use
- HC
  - Removed Oil and Gas Extraction as Principal Use
  - Added Medical Marijuana Dispensary as Principal Use
  - Added EVCS as Accessory Use
  - Added Dwelling: ADU as Accessory Use
  - Changed Farm Stands to P as Accessory Use
  - Removed Wineries/Tasting Facilities as Accessory Use
- PC
  - Added EVCS as Accessory Use
  - Changed Wineries/Tasting Facilities to SE as Accessory Use
  - Changed Essential Services to P as Accessory Use
  - Changed Emergency services to P as Accessory Use
- CI
  - Removed Oil and Gas Extraction as Principal Use
  - Changed Car or Truck Wash to P as Accessory Use
  - Changed Craftsman-Artisan Workshop to P as Accessory Use



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- Added EVCS as Accessory Use
- Added Dwelling: ADU as Accessory Use
- Changed Wineries/Tasting Facilities to SE as Accessory Use
- LI
  - Removed Oil and Gas Extraction as Principal Use
  - Changed Wireless Communications Tower to P as Principal Use
  - Added Group Care Facility as Principal Use
  - Changed Car or Truck Wash to P as Accessory Use
  - Changed Craftsman-Artisan Workshop to P as Accessory Use
  - Added EVCS as Accessory Use
  - Added Dwelling: ADU as Accessory Use
  - Removed Wineries/Tasting Facilities as Accessory Use

### Article 5 – Supplementary Regulations

- Section 5.3: Fixed typo for “**stormwater**”
- Section 5.6(A)(2): Changed to require Class C buffer for all Parking Lots on City Streets
- Section 5.6(B): Listed requirements for buffer areas by use
- Section 5.6(C)(1)(a): Changed deciduous shade trees minimum trunk diameter measurement from root collar to ground
- Section 5.7(A)(4): Changed minimum 1.5in. trunk diameter measurement location to six inches above the ground
- Section 5.11(C)(3): Removed duplicate listing of “Motor homes”
- Section 5.14(A)(2): Changed keeping of pets to allowed in all districts if all regulations are met and restrictions on maximum cats and dogs on a property
- Section 5.15(D): Added limit of 7 continuous days for short-term rentals
- Section 5.16(B)(4): Removed reference to undefined “Building-integrated solar energy systems”
- Section 5.17: Fixed typo of “**Principal**”
- Section 5.17(A)(1): Clarified allowed zones
- Section 5.18(A): Changed fences around a pool be a minimum from 5 ft to 4 ft
- Section 5.18(C): Fixed typo of “ten (8) feet” to “ten (10)”
- Section 5.20(O): Added provisions for the removal of wind energy system similar to Section 5.16(L)

### Article 6 – Specific Criteria, Conditional Uses, and Special Exceptions

- Section 6.4(F)(7): Fixed typo of “INS-G” to “INST.” Removed nonexistent reference to Homeless Shelter in Boarding House regulations
- Section 6.4(H)(1): Fixed missing typo of foot measurement to “Shall not be located within 500 of a...”
- Section 6.4(L)(1): Clarified that this applies for residents
- Section 6.4(N)(1): Added day restriction for facilities not enclosed like indoor/outdoor commercial rec. facilities in Section 6.4(M)(3)
- Section 6.4(N)(2)(a): Fixed typo of “Use of **pervious** material for parking is encouraged”



- Section 6.4(Q)(4)(c): Changed to “Northeast Regional Offices.”
- Section 6.4(X): Fixed typo of subsection numbering
- Section 6.4(AA): Moved Essential Services to Section 5.22, since they are permitted by right in every district and do not need “Specific Regulations for Conditional Uses and Uses by Special Exception”
- Section 6.4(AA)(1): Fixed typo to “An ambient sound level study **shall be** provided...”
- Section 6.4(BB)(10): Fixed typo to Region 3
- Sections 6.4(BB)(12) and (14): Changed farm cafes reference to remove conditional use clause. (farm cafes are only allowed as accessory uses in two districts, CONSV (permitted by right) and H-C (special exception))
- Section 6.4(FF)(5): Fixed off-street parking requirement to reflect Section 7.1
- Section 6.4(MM)(6): Removed undefined references to “Adult entertainment” and “Adult Business”
- Section 6.4(PP)(e): Fixed typo to “12**am** to 6am”
- Section 6.4(QQ)(1)(b): Removed undefined reference to “Animal Equivalent Unit”
- Section 6.4(QQ)(5): Removed nonexistent RA, RR, or AR districts.
- Section 6.4(UU)(6): Corrected “A minimum of three (8) stacking spaces...” to “three (3)”
- Section 6.4(VV)(1): Fixed typo of “Dumpster Screening and Waste Containers”
- Section 6.4(XX)(2): Removed undefined reference to “Adult business”
- Section 6.4 (YY)(2): Defined where noise level measurements are taken
- Section 6.4 (YY)(7): Removed unused clause for conditional use
- Section 6.4 (ZZ): Added noise level requirements similar to Section 5.9(A)(1)?
- Section 6.4(DDD)(1): Removed unused clause for conditional use.
- Sections 6.4(EEE)(2) and (10): Changed conflicting requirements of setbacks
- Section 6.4(EEE)(11): Removed duplicate section
- Section 6.4(GGG)(4) and 12: Fixed typo of “AU”
- Section 6.4(GGG)(7): Changed wording from “requested to” to “shall”
- Section 6.4(GGG)(11): Fixed typo of “...shall include a minimum **lot** area...”

### **Article 7 – Off-Street Parking and Loading**

- Section 7.1(D): Corrected to reflect transect uses
- Section 7.1(E) Removed reference to “following table” which does not follow
- Section 7.1(K): Clarified uses in the D district
- Section 7.1(L)(3) Corrected minimum size of a handicapped parking space to 9ft x 18ft
- Section 7.3(B)(2) and (3): Fixed typo of “expires” to “expired.” And removed undefined “Abandoned or junk vehicle

### **Article 8 - Signs**

- Section 8.9(I): Removed undefined “special sale display”
- Section 8.11(A): Corrected subsection numbering
- Section 8.11(A)(7): Reworded sentence for ease of reading
- Section 8.11(B)(4): Corrected total sign area to reflect tables in 8.3 and 8.4 of 2 sides.
- Section 8.12(A): Rewrote into subsections for ease of reading



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- Section 8.12(D): Corrected line break mid-sentence
- Section 8.12(G)(4): Corrected minimum setback requirement from other off-premises signs on the same street and facing the same side of the street to 1000ft per 8.12(G)(8)(d).
- Section 8.12(G)(8): Fixed typo of "...an off-premise sign **shall** meet the following..."
- Section 8.12(G)(8)(a): Removed undefined "Residential lot line"
- Section 8.14(B): Clarified signs for up to three entrances

### Article 9 - Nonconformities

- Section 9.2(A): Clarified 50% floor area expansion limit for residential structures based on the measurement at the time the use became non-conforming (similar to non-residential, see Section 9.2(B)(3))
- Section 9.4(A): Clarified for single-family dwellings rather than all dwellings

### Map Changes

- South Side:
  - o Areas were changed to R-8, R-9, R-10, and R-11 to match the existing zoning classifications and physical characteristics of the neighborhoods more closely.
- Green Ridge:
  - o R-9 and R-10 zones switched to match the existing zoning classifications and physical characteristics of the neighborhoods more closely.
  - o Lace Works complex changed to N zone to reflect mixed use development
- Hill Section
  - o Large portion south of Mulberry St. from University to Nay Aug Park was zoned Neighborhood Commercial. Changed to R-9, except along Mulberry St. to match the existing zoning classifications and physical characteristics of the neighborhoods more closely.
  - o West side of 400 Blk of Colfax changed from Institutional to Residential
- Pine Brook
  - o Residential enclave north and south of Olive St. (Mineral Ave, Gordon Ave, and Silex St) changed from Light Industrial to Residential (R-11) to match the existing residential use of the area.
  - o Some residential areas between Wyoming and Washington changed from Commercial to Residential to match the existing residential use of the area. (Request from UNC)
- Bellevue
  - o Minor adjustments to include existing commercial uses in HC zone
- Downtown
  - o Added Dickson Work complex and portion of Wyoming Avenue into D zone to match use