

BOROUGH OF TATAMY  
NORTHAMPTON COUNTY, PENNSYLVANIA

ORDINANCE NO. 260-2013

AN ORDINANCE AMENDING THE BOROUGH OF TATAMY  
ZONING ORDINANCE BY CREATING A BUSINESS OVERLAY DISTRICT  
FOR THE BOROUGH OF TATAMY, NORTHAMPTON COUNTY,  
PENNSYLVANIA.

**§ 2013-1. Title.**

This article shall be known and cited as the "Tatamy Borough Overlay District Regulations." The boundaries of the overlay district are shown in the exhibit.

**§ 2013-2. Definitions.**

ROUTE 33/MAIN STREET INTERCHANGE PROJECT -- A project to construct a new full-diamond highway interchange at the existing crossing of PA Route 33 and Main Street in the northern end of Palmer Township. The project includes the replacement of the existing Main Street bridge structure over Route 33, the installation of new on and off-ramps between Route 33 and Main Street, traffic signals at the intersection of the new ramps with Main Street, widening of Main Street, and associated improvements that include signage, stormwater management systems, storm conveyance systems, utility pole relocations, and highway lighting. This new interchange will provide access to areas east and west of Route 33, including areas immediately adjacent to the interchange.

BIOLOGICAL HAZARDS- Also known as Biohazards, These wastes contain pathogens of sufficient virulence and quantity that exposure to these wastes by a susceptible human host could result in infection. Examples of these wastes include wastes generated from patients with communicable diseases, cultures and stocks of etiologic agents, surgery and autopsy wastes, sharps and contaminated laboratory wastes.

OUTDOOR STORAGE- The location of any goods, wares, merchandise, commodities, junk, debris, or any other item outside of a completely enclosed building for a continuous period longer than twenty-four (24) hours.

RESEARCH, DEVELOPMENT OR TESTING LABORATORY – An establishment engaged in conducting research and experimental development or analytical testing services in the physical, engineering, and life sciences, such as agriculture, electronics, environmental, biology, biotechnology, botany, computers, chemistry, food, fisheries, forests, geology, health, mathematics, medicine, oceanography, pharmacy, physics, veterinary and other related subjects. Testing services may occur in a laboratory or on-site.

Definitions, general interpretation and terms defined, Article II of the Tatamy Borough Zoning Ordinance and SALDO.

### **§ 2013-3. Purpose.**

- A. To provide sufficient space to meet current and anticipated future regional needs for light industrial, office and commercial development that will benefit the Borough and the region, both economically and aesthetically.
- B. To recognize that the north west corner of the Borough will not be a reasonable location for light industrial, office and commercial development unless the Route 33/Main Street Interchange Project is constructed.
- C. To provide a mechanism that will allow areas planned for light industrial, office and commercial uses to be developed in conjunction with the construction of the Route 33/Main Street Interchange Project.
- D. To allow for prudent business decision making by future property owners and encourage investments in land and infrastructure to be made with the knowledge that the Borough will permit such light industrial, office and commercial development to be occupied and operate only in the event that the Route 33/Main Street Interchange Project is constructed.

### **§ 2013-4. Community development objectives.**

- A. To promote light industrial, office and commercial development in appropriate locations to provide wider employment choices and improve overall economic development for the Borough.
- B. To ensure that sufficient road capacity and utilities are in place before new development occurs.
- C. To provide a safe and efficient transportation network that is closely coordinated with land use.
- D. To proactively manage the streetscape and character of the area through the application of coordinated amenities including sidewalks, landscaping and signage.

### **§ 2013-5. Applicability.**

The following provisions shall apply within the Tatamy Borough Overlay District, provided that all other requirements of Borough ordinances are met:

#### **A. Applicability of base zoning district provisions.**

- (1) The provisions of the base zoning district(s) shall continue to be applicable to the property within the Tatamy Borough Overlay District only until such time that the plans for construction of the Route 33/Main Street Interchange Project have been approved by the Pennsylvania Department of Transportation (Penn DOT), any financial security

required by Penn DOT for the completion of said improvements has been posted by the entity responsible for completing the construction of said improvements, and primary construction contracts relative to the completion of said project have been executed.

(2) After the Zoning Officer has evidence that the Route 33/Main Street Interchange Project is open to public traffic, then the name of this district shall be changed to the **Tatamy Borough Business District**, subject to the requirements set forth herein.

B. Procedure for application process in the Tatamy Borough Business District.

(1) Applications for zoning permits for uses provided for in the Tatamy Borough Business District shall be accepted for review by the Zoning Officer only in the event that the Applicant provides the Zoning Officer with documentation from Penn DOT verifying that plans for the construction of the Route 33/Main Street Interchange Project have been approved by Penn DOT, any financial security required by Penn DOT for the completion of said improvements has been posted by the entity responsible for completing the construction of said improvements, and primary construction contracts relative to the completion of said project have been executed.

(a) Applications for zoning permits related to the construction of structures permitted in the Tatamy Borough Business District shall include the following information:

[1] Size of building, in square feet.

[2] Architectural renderings of the building showing compliance with the design provisions of § 2013-9 below.

(b) Applications for zoning permits for uses provided for in the Tatamy Borough Business District shall include the following additional information:

[1] Description of business and/or services provided.

[2] Hours and days of operation.

[3] Maximum number of employees expected on any one shift.

[4] Expected number of outside customers or visitors.

[5] Number of trucks and expected hours of truck traffic.

(2) Applications for building permits related to the construction of structures permitted within the Tatamy Borough Business District shall be approved only in the event that all relevant provisions of this Ordinance and the Tatamy Borough Subdivision and Land Development Ordinance have been met.

(3) Applications for certificates of occupancy for structures within the Tatamy Borough Business District shall be granted only in the event that the interchange improvements have been approved by Penn DOT, any financial security required by Penn DOT for the completion of said improvements has been posted by the entity responsible for completing the construction of said improvements in accordance with the development agreement with Penn DOT and any policies and procedures set forth by Penn DOT, and all other applicable provisions of this Ordinance and the Tatamy Borough Subdivision and Land Development Ordinance have been met.

**§ 2013-6. Permitted Uses by Right.**

**A. Within the boundaries of the Tatamy Borough Overlay District.**

All developments shall be constructed in accordance with a well-coordinated, integrated overall plan. If a development is to be carried out in progressive phases, each phase shall be planned so that the requirements and intents of this Article and the Zoning Ordinance shall be fully complied with at the completion of any phase.

**B. Uses permitted by right shall be as follows:**

(1) Business, professional or government office, subject to the following provisions:

- (a) Such use shall be carried on wholly indoors and within the principal building.
- (b) No structure designed for office use shall include any dwelling unit or units.

(2) Medical office, subject to the following provisions:

- (a) Such use shall be carried on wholly indoors and within the principal building,
- (b) This use does not include treatment centers or mental care facilities.

(3) Business services, as follows:

- (a) Photocopying service.
- (b) Package delivery service.
- (c) Sales, service, repair and/or maintenance of computers, business machine and office equipment.

(4) Printing and publishing establishment.

(5) Information/data processing.

(6) Industrial activity involving processing, cleaning, assembling, packaging, conversion, production, repair, manufacturing or testing of materials, goods and/or products, provided that:

(a) All activity shall occur within completely enclosed structures.

(b) No outdoor storage shall be permitted.

(c) No use shall be permitted that:

- a. Creates dangerous, injurious or noxious conditions or fire, explosive or toxic hazards.
- b. Does not comply with federal or state regulations regarding storage or disposal of hazardous materials or wastes, as defined by the U.S. Environmental Protection Agency.

(7) Research, development or testing laboratory, provided that:

(a) No use shall be permitted that:

1. Creates dangerous, injurious or noxious conditions or fire, explosive or toxic hazards, biohazard or potential biohazard.
2. Does not comply with federal or state regulations regarding storage or disposal of hazardous materials or wastes, as defined by the U.S. Environmental Protection Agency and PA Department of Environmental Protection.

(b) All storage of explosive or hazardous substances or gases shall comply fully with the standards of the National Fire Protection Association.

(c) The Borough Council shall require the applicant to provide evidence of compliance with all current regulatory requirements.

(8) Distribution center, either as a stand-alone use or in combination with other uses, provided that:

(a) The distribution and warehousing component of any building does not exceed one hundred thousand (100,000) square feet; and

(b) Docking bays shall not be constructed or maintained on opposite sides of the building.

(c) No outdoor storage shall be permitted.

(d) In addition to any loading areas for trucks, there shall be at least one tractor-trailer parking space provided for every ten (10) loading dock positions. Each such space shall be twelve (12) feet by sixty (60) feet and shall be clearly delineated with appropriate pavement markings.

(e) All facilities with gated entrances shall provide for an on-site queuing area for the stacking of a minimum of two (2) tractor-trailers for every four (4) loading areas.

(9) Warehouse, provided that:

(a) Truck parking and loading shall meet the minimum standards of this ordinance and in unique situations shall be provided according to maximum standards of the industry for the specific type of warehouse.

(b) No outdoor storage shall be permitted.

(c) No storage of trash, garbage, refuse, explosive or flammable materials, hazardous, biohazardous or potential biohazardous substances, animals, animal carcasses or skins or similar items shall be permitted.

(d) Warehouse uses that would involve more than twenty (20) tractor-trailer trips in any twenty-four (24) hour period shall be required to meet the additional standards for a distribution center as listed under subsection (8) above.

a. A trip shall be defined as one arrival at or one departure from the facility.

(10) Wholesale sales, provided that no retail sales or sales to the general public are permitted.

(11) Trade school.

(12) Child day-care center, subject to the following provisions:

(a) The use shall comply with applicable state Department of Public Welfare regulations.

(b) Parking spaces shall be designed for safe and convenient drop-off and pick-up of children.

(c) An outdoor recreation area shall be enclosed with a forty-eight (48) inch high fence and shall be a minimum of twenty-five (25) feet from any rear lot line. The recreation area shall be screened so as to protect adjoining properties and shall provide adequate shade for the children.

(d) A child day-care center shall be permitted as an accessory use for any principal use permitted in this ordinance, provided that the use is limited to employees and their children only.

(13) Appropriate government services and facilities.

### **C. Multiple Occupancy.**

- (1) A principal building may be occupied by more than one use, provided that all uses are permitted within this Ordinance and provided that all other requirements of this Ordinance are complied with.
- (2) The applicant for each use within a multiple occupancy building shall be required to apply for a separate building and zoning permit through the required processes.

### **§ 2013-7. Prohibited Uses.**

- A. All uses that are prohibited in the Zoning Ordinances Article 3, Districts, and Section 306 as listed in the C and LI Districts.**
- B. All uses are prohibited that would have a serious threat of future inability to meet the Environmental Preservation standards of the Zoning Ordinance, as stated in the Zoning Ordinances including but not limited to the following:
  - (1) Asphalt manufacturing or refining.
  - (2) Coke oven.
  - (3) Creosote treatment or manufacturing.
  - (4) Distillation of bones, coal or refuse (except in the manufacture of gas).
  - (5) Explosives, fireworks, ammunition and gunpowder manufacture or storage (except within a U.S. military facility).
  - (6) Fat rendering.
  - (7) Incineration, reduction, storage or dumping of slaughterhouse refuse, rancid fats, garbage, dead animals or animal waste.
  - (8) Bulk manufacturing of acids or chemicals.
  - (9) Oilcloth or linoleum manufacturing.
  - (10) Paper mill.
  - (11) Petroleum or kerosene refining or distillation or bulk storage.
  - (12) Potash work.
  - (13) Stockyard or slaughterhouse.
  - (14) Tar distillation or manufacturing.

**§ 2013-8. Area and bulk regulations.**

A. Minimum lot area. Three (3) acres.

B. Minimum lot width. One hundred eighty (180) feet.

C. Lot coverage.

(1) Maximum total building coverage: Forty (40%) percent.

(2) Maximum total impervious coverage: Seventy (70%) percent.

D. Building setback from exterior lot lines.

(1) A minimum of fifteen (15) feet from the future right-of-way of any public street.

(2) A minimum of twenty-five (25) feet from all abutting lot lines of a lot not within the Tatamy Borough Overlay District.

(3) A minimum of twenty (20) feet from all abutting lot lines of a lot that is within the Tatamy Borough Overlay District.

E. Maximum building height. Forty (40) feet from finished ground level.

**§ 2013-9. Building standards and orientation.**

A. The main entrance of all buildings shall be located along the front or side of the building that faces a street.

(1) The main entrance of a building shall be identified by being recessed in from the surrounding wall or projecting out from the surrounding wall, and/or by windows, changes in building height, roof overhangs, awnings, lighting or combinations thereof.

B. All exterior building walls that faces any street shall be finished with brick, cut stone, smooth precast concrete, poured concrete panels, split-face masonry blocks, stucco, plaster, clear or lightly tinted glass, or combinations thereof.

(1) Standard concrete block shall not be permitted on walls that face a street.

C. Exterior building walls shall use neutral colors. Contrasting trim, color bands and/or textures may be used to help break up the vertical monotony of flat walls.

D. For any property with loading docks, service bays and roll-up doors shall be screened against view from Main Street and 8<sup>th</sup> Street.

E. Loading bays and roll-up doors shall use the same color as the wall on which they are located.



F. Building mechanical systems, including but not limited to air-conditioning units, exhaust systems, satellite dishes, and elevator housing, shall be located on the roof whenever possible. Any mechanical systems not located on the roof of the building shall be enclosed with fencing and/or covering that is the same color as the building. All equipment shall be screened from residential view, including those on the ground and roofs.

G. Public utility equipment shall be placed underground whenever feasible.

H. Trash receptacles and above-ground utility equipment shall be placed to the side or rear of the nearest building.

(1) All trash receptacles shall be enclosed by landscaping, fencing, walls or other enclosures.

(2) All fencing, walls, and/or enclosures used for trash receptacles shall be the same color as the building with which they are associated.

## **§ 2013-10. Signs.**

A. Permitted signs. The following types of signs are permitted within the Tatamy Borough Business District:

(1) Freestanding ground-supported (monument) signs, not to exceed one sign per street frontage. The total sign area of each freestanding sign shall not exceed fifty (50) square feet.

(a) A freestanding digital sign or electronically changing message sign is prohibited.

(2) Wall signs.

(a) Up to two (2) wall signs shall be permitted for each principal building. Each sign shall have a maximum total sign area of fifty (50) square feet.

(b) Each principal use within a multiple occupancy building may also have a wall sign with a maximum sign area of four (4) square feet, which shall be located near or on the main entrance to the use.

(3) Signs identifying major developments per the Zoning Ordinances.

(4) Signs not requiring permits per the Zoning Ordinances.

(5) Temporary signs per the Zoning Ordinances

B. Prohibited signs.

(1) Freestanding pole signs are prohibited.

(2) Signs on mobile or movable stands are prohibited.

C. Height.

(1) Freestanding signs shall be limited to a maximum height of ten (10) feet.

(2) The maximum height of wall signs shall be equal to the total height of the wall on which they are located.

D. Illumination.

(1) Externally illuminated signs shall be illuminated by a white light that does not move or change intensity. External light shall be directed at the sign without light spillover and without causing glare for motorists, pedestrians or neighboring properties.

(2) Externally illuminated signs may be backlit with a diffused or shielded light source to control glare. Backlighting shall illuminate the letters, characters or graphics on the sign, but not its background.

(3) Internally illuminated signs shall have a dark background with illuminated text that accounts for a maximum of twenty (20%) percent of the total sign area.

**§ 2013-11. Off-street parking and loading.**

A. Parking. In addition to the off-street parking requirements in the Zoning Ordinances and SALDO, the following requirements shall apply to uses within the Tatamy Borough Business District:

(1) The design of parking and circulation areas on the site shall address the needs of different users to the site, such as visitors, employees and truck loading and unloading.

(a) Parking areas for visitors or customers shall be located adjacent to the main entrance of the building.

(b) All parking areas on a lot shall be accessible from within the lot.

(c) Clear access shall be provided to all sides of the building for emergency vehicles.

(2) Where parking areas are located between the building and the street, the parking areas shall be screened from view of the street using low fencing, a low wall that matches the architectural style of the principal building, earthen berms, and variations in elevation, landscaping, or combinations thereof.

(3) Internal walkways.

(a) Pedestrian walkways shall be provided for visitors, customers and employees to travel between buildings and parking areas.

(b) Pedestrian walkways shall be constructed with a different pavement material than that used for streets and parking areas so as to differentiate the walkway from the driving areas. Pedestrian walkways may be constructed with concrete, decorative brick, pavers or stone, not including crushed stone.

**B. Loading.**

In addition to the loading requirements in the Zoning Ordinances and SALDO, the following requirements shall apply to uses within the Tatamy Borough Business District:

(1) Loading and unloading areas, including areas for truck parking and/or service, shall be located at the rear of a building, whenever possible. If loading, unloading, truck parking and/or service bays are not possible at the rear of a building, then they may be located at the side of a building provided that they are not visible from the street.

(a) If loading, unloading, truck parking and/or service areas are located at the side of a building; they shall be shielded from view of the street using fencing, a wall that matches the architectural style of the principal building, or dense landscaping or berms.

**§ 2013-12. Streetscape performance regulations.**

**A. Sidewalks.**

Sidewalks shall be provided for all uses within the Tatamy Borough Business District. Sidewalks shall be constructed in accordance with Borough specifications and installed to connect to the property line of adjacent parcels.

**B. Street lighting.**

Street lighting shall be provided along all street frontages in the Tatamy Borough Business District.

(1) Streetlight poles shall have a maximum height of twenty (20) feet and shall be placed a maximum of one hundred (100) feet apart.

(2) All streetlight poles and fixtures shall be supplied in accordance with design standards set forth by the electric utility company.

(3) The design of streetlight poles and fixtures shall be consistent throughout the Tatamy Borough Business District.

(4) Cobra-head style streetlights shall be prohibited.

(5) All street lighting shall be directed downward.

**§ 2013-13. Traffic management.**

A. Road capacity. To ensure that the road network is able to handle additional traffic from intensive types of development, the following conditions shall be met.

- (1) A traffic impact report shall be submitted as required by SALDO.
- (2) The Borough Engineer shall review, at the expense of the Applicant, any professional traffic studies that are presented and make recommendations to the Borough.
- (3) The provisions of the Borough Subdivision and Land Development Ordinance, entitled "Required traffic improvements," shall also apply to any use that involves construction of one or more new principal buildings.

C. Access management. The Route 33/Main Street Interchange project will make Main Street a critical corridor for traffic movement. The number of access points onto Main Street needs to be minimized, and traffic shall be steered towards a minimum number of strategically planned intersections and traffic signals.

In order to minimize traffic congestion and hazards, the following access management provisions shall apply:

- (1) Access to lots shall be provided only onto and off of an abutting collector or local street, and shall not be provided directly onto or off of Main Street and 8<sup>th</sup> Street.
- (2) Access to two or more adjoining lots may be combined, shared and/or coordinated to minimize the number of access points onto a public street. Shared parking lots and access drives or access points connecting adjacent lots are strongly encouraged.
  - (a) The provision of joint access shall be subject to the creation of an easement with the deed allowing cross access between the properties within the access road area. The joint access arrangements shall include a recorded joint agreement with the deed defining the maintenance responsibilities of each of the property owners served by the access road.
- (3) Developments consisting of three or more principal structures shall make use of a carefully coordinated interior street system.
  - (a) Each principal building shall have its main vehicle access onto a common parking lot, access drive, service road, marginal access street, or other alternative method approved by the Borough, which shall then provide access to an abutting collector or local street.
  - (b) Vehicle access shall be provided to each use without causing congestion to, hazards upon or interference with traffic movement on public streets.

(4) The minimum distance between an access point or driveway and a street intersection on the same or opposite side of a street shall be as follows, measured from centerline to centerline:

(a) From Main Street: Three hundred (300) feet.

(b) From a collector street: Two hundred (200) feet.

(c) From a local street: One hundred (100) feet.

(5) An access point or driveway shall be separated a minimum distance of one hundred (100) feet from any other access point or driveway onto the same street, measured from centerline to centerline.

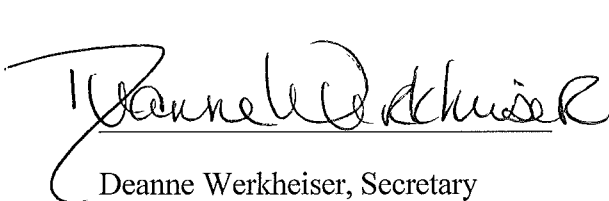
(6) The access control provisions of the Borough Subdivision and Land Development Ordinance shall also apply.

This Ordinance shall become effective immediately.

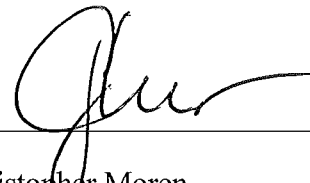
DULY ENACTED AND ORDAINED this the 1<sup>st</sup> day of July, 2013, by the Council of Tatamy Borough.

BOROUGH OF TATAMY

ATTEST:

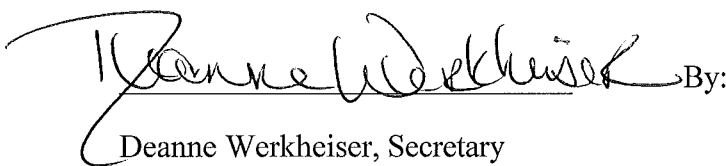


Deanne Werkheiser, Secretary

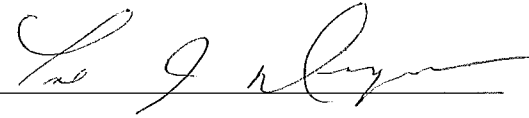
By:   
Christopher Moren,  
President of Borough of Council

APPROVED this the 1<sup>st</sup> day of July, 2013.

ATTEST:



Deanne Werkheiser, Secretary

By:   
Luke Duignam, Mayor

# BOROUGH OF TATAMY

Northampton County Pennsylvania

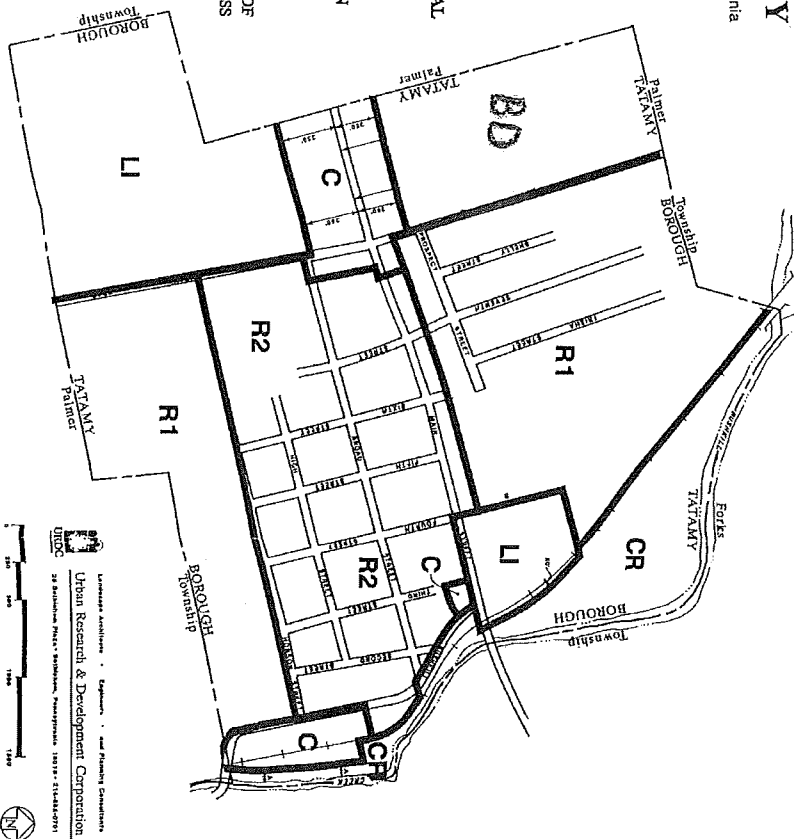
## OFFICIAL ZONING MAP

February 1991

- R1 - LOW DENSITY RESIDENTIAL
- R2 - MEDIUM/LOW DENSITY RESIDENTIAL
- R3 - MEDIUM DENSITY RESIDENTIAL
- C - COMMERCIAL
- LI - LIGHT INDUSTRIAL
- CR - CONSERVATION AND RECREATION
- BD - Business Overlay District

ALL MEASUREMENTS ARE FROM CENTERLINE OF STREET OR RAILROAD RIGHT-OF-WAY UNLESS OTHERWISE INDICATED.

- A - 75 feet from top of the bank of the creek
- B - The existing street centerline extended



### Business Overlay District

Replaces the R1 and R3 zones

North of the Main Street Commercial District, West of 8<sup>th</sup> Street.

