

ORDINANCE NO. 1 of 2022
FOSTER TOWNSHIP, LUZERNE COUNTY, PENNSYLVANIA

AN ORDINANCE OF FOSTER TOWNSHIP AMENDING THE FOSTER TOWNSHIP ZONING ORDINANCE OF 2015 TO REGULATE CERTAIN TYPES OF CONTAINERS

The Foster Township Board of Supervisors do hereby amend the Foster Township Zoning Ordinance of 2015 as follows:

**ARTICLE 2
DEFINITIONS**

SECTION 203 DEFINITIONS

The following definitions are added or changed:

ACCESSORY STRUCTURE:

A subordinate structure detached from but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure. Cargo containers, railroad cars, truck vans, converted mobile homes, trailers, recreational vehicles, bus bodies, vehicles and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not accessory structures.

CARGO CONTAINER:

Any container (refrigerated or non-refrigerated) that permits the temporary storage and protection of cargo, and which may be transported by ship, rail or truck without intermediate loading and unloading of the contents of the container. The term includes any reusable container originally designed for or used in the packing, shipping, moving, or transporting of freight, articles, goods, products, or commodities, or capable of being mounted or moved by rail, truck, or ship by means of being mounted on a chassis or similar transport device. This definition includes any container having a similar appearance to and similar characteristics of a cargo container.

CARGO CONTAINER STORAGE YARD:

The principal use of land for the storage of empty cargo containers for resale. This definition does not include the temporary accessory use of cargo containers associated with a permitted warehousing and distribution or trucking facility.

PORTABLE STORAGE CONTAINERS:

Includes portable containers or PODS that are used for temporary storage of personal property of occupants on the lot during times of transition such as remodeling, moving, construction, or emergency storage.

**ARTICLE 3
GENERAL REGULATIONS**

The following section is added:

SECTION 338 PORTABLE STORAGE CONTAINERS

- A. Upon any lot portable storage containers may only be used during construction, remodeling, moving, or an emergency or disaster which requires the temporary storage of personal property.
- B. The use of portable storage containers for permanent storage, storage of vehicles, junk, waste containment, or for use as a dwelling until is prohibited.
- C. The use of portable storage containers on a lot may not exceed 90 days during any one calendar year. However, the zoning officer may issue up to a 90-day extension if it can be shown that the nature of the proposed activity is ongoing and reasonable progress requires additional time with a definitive ending date.
- D. Portable storage containers may not block any required sight clearances and shall be setback at least 10 feet from all lot lines.

**ARTICLE 5
ZONING DISTRICT REGULATIONS**

SECTION 502

The following uses are added in the Nonresidential Use Table:

NONRESIDENTIAL USES	B-2	B-3	A-1	C-1	I-1	I-2	S-1	AEO
Cargo Containers	P	P	P	N	P	P	N	N
Cargo Container Storage Yard	N	N	N	N	SE	P	N	N

**ARTICLE 8
SUPPLEMENTAL REGULATIONS**

801.51 CARGO CONTAINERS AND CARGO CONTAINER STORAGE YARDS

- A. Cargo Containers shall comply with the following regulations:
 - 1. Cargo containers shall only be permitted as an accessory structure or use in the A-1, B-2, B-3, I-1, and I-2 Zoning Districts.
 - 2. Cargo containers shall not be stored or placed as a principal or accessory structure or use on property zoned R-1, R-1A, R-2, C-1, S-1, AEO, PRD, or on lot where the principal use is residential. However, the temporary placement of a cargo

container shall be permitted for the limited purpose of loading and unloading household contents or goods for a period not exceeding 30 days in any one calendar year.

3. Cargo containers shall be permitted for a period of not more than 180 days in any one calendar year in any zoning district provided the cargo container is being used by a contractor for the temporary storage of equipment or materials during construction which is taking place on the lot where the cargo container is located.
4. Cargo containers where permitted shall not be:
 - (i) Stacked above one another.
 - (ii) Used as a sign for advertising.
 - (iii) Used for the storage of hazardous substances.
5. Cargo containers where permitted shall be:
 - (i) Located in a rear yard in the B-2, and B-3 Zoning Districts.
 - (ii) Located in a side or rear yard in the A-1, I-1, and I-2 Zoning Districts.
 - (iii) Not less than 25 feet from any lot line.
 - (iv) Limited to two per lot.

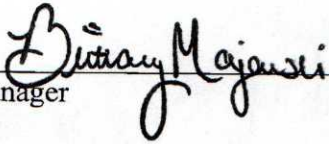
B. Cargo container storage yards shall comply with the following regulations:

1. The stacking of cargo containers more than 20 feet in height is prohibited.
2. The lot shall be enclosed by a fence not less than eight feet in height constructed and intended to screen the use of the property from public view.
3. All driveways, access drives and parking areas shall be paved.
4. All cargo container storage areas shall be located not less than 50 feet from all lot lines.

This Ordinance shall be effective immediately following its adoption. The Foster Township Zoning Ordinance is hereby amended to include the above amendments, this ___ day of _____, 2022, by the Foster Township Board of Supervisors.

[Signatures to follow on next page]

ATTEST:

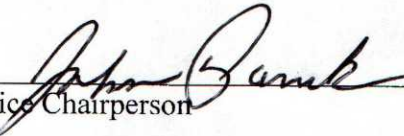


Manager

FOSTER TOWNSHIP BOARD OF
SUPERVISORS:



Chairperson



Vice Chairperson



Secretary/Treasurer