

Municipality of Kingston
Luzerne County, PA

PROPOSED ZONING ORDINANCE AMENDMENTS

Preamble To Proposed Amendments

To 2023 Zoning Ordinance

And now this ____ day of _____, 2026, the Municipality of Kingston hereby amends the 2023 Zoning Ordinance for the express purpose of complying with the requirements of the Religious Land Use and Institutionalized Persons Act (“RLUIPA”), 42 U.S.C. § 2000cc, et seq. More specifically, the Municipality of Kingston seeks to comply with RLUIPA’s prohibition against treatment of religious assemblies or institutions on terms less than equal to those applied to nonreligious assemblies or institutions (42 U.S.C. § 2000cc(b)(1)), and which prohibits land use regulations which unreasonably limit religious assemblies, institutions or structures within a jurisdiction, (42 U.S.C. § 2000cc(b)(3)).

Municipality of Kingston – Luzerne County, PA
Proposed Zoning Ordinance Amendments

The enclosed amendments pertain to the following articles and sections of the Municipality of Kingston Zoning Ordinance:

- Article 2 – Definitions
 - + Section 203. Definitions: Dormitory; School, Religious

- Article 5 – Zoning District Regulations
 - + Section 501.A. Permitted Uses.
 - + Section 502. Municipality of Kingston Use Tables

- Article 8 – Supplemental Use Regulations
 - + Section 801.12.1 Dormitory
 - + Section 801.34. Places of Worship
 - + Section 801.43 School
 - + Section 801.54. Religious School

- Article 10 Off-Street Parking and Loading
 - + Section 1021. Off-Street Parking Requirements

ARTICLE 2 – DEFINITIONS

SECTION 203 DEFINITIONS

DORMITORY

A building used as a group living quarters for a student body or religious order as an accessory use to a college, university, boarding school, or religious institution. Any form of a transitional living facility which allows overnight stays of individuals shall not be considered to be a dormitory.

SCHOOL, RELIGIOUS

An educational institution, either private or state-supported, that integrates specific religious beliefs, values, and practices into the curriculum and daily operations, aiming for both academic learning and spiritual development, and often operated by a religious organization such as a church, synagogue, or mosque, either as a principal use or as an accessory use to a Place of Worship.

ARTICLE 5 – ZONING DISTRICT REGULATIONS

SECTION 501 PERMITTED USES, CONDITIONAL USES, SPECIAL EXCEPTION USES AND NON-PERMITTED USES

- A. Permitted Uses. Add the following sentence to end of existing text:
Only one of the principal uses set forth in Section 502 shall be permitted at one time in a structure located in a Residential District.**

SECTION 502 MUNICIPALITY OF KINGSTON USE TABLE

502.1. – RESIDENTIAL USE TABLE

USES	R-1	R-2	R-3	C-1	C-2	C-3	M-1	C-OP
Dormitory	SE	SE	SE	P	P	P	N	N
Places of Worship	SE	SE	SE	P	P	P	N	N
School, Religious	SE	SE	SE	P	P	P	N	N

502.2. – NONRESIDENTIAL USE TABLE

USES	R-1	R-2	R-3	C-1	C-2	C-3	M-1	C-OP
Dormitory	SE	SE	SE	P	P	P	N	N
Places of Worship	SE	SE	SE	P	P	P	N	N
School, Religious	SE	SE	SE	P	P	P	N	N

ARTICLE 8 - SUPPLEMENTAL REGULATIONS

SECTION 801.12.1. DORMITORY

Dormitories provided by the institution shall include and continuously maintain:

- A. Adequate space, equipment and furnishings for each student.
- B. Safe and adequately maintained residence hall and dining facilities in accordance with the Municipality of Kingston's public safety and quality of life codes, and state-mandated fire, electrical and construction codes directly related to personal hygiene and personal safety, including fire extinguishers, smoke detectors, housing exits and fire drills, and code compliant restroom and bathing facilities.
- C. Adult supervision of all residence hall and dining activities and facilities.

SECTION 801.34 PLACES OF WORSHIP

Places of Worship, as defined in Article 2, shall meet the following requirements.

- A. A Religious School with instruction and educational rooms may be permitted within the principal building of a Place of Worship as an accessory use in Commercial Districts only.
- B. When the lot is located within a Residential zoning district, there shall be a landscaped planting strip within the required rear yard or side yard setback not less than four (4) feet in depth, planted with shrubs or trees which are not less than three (3) feet in height at the time of planting, and are of a type that may be expected to form a year-round dense screen at least four (4) feet high within three (3) years. When the lot is located within a Commercial zoning district, the screening and landscaping for parking shall comply with Section 1013. The landscaped area shall be continuously maintained in good condition, including the replacement of any shrubs or trees that are damaged, die or otherwise fail to grow.
- C. The provision of any outdoor lighting shall be designed and installed in compliance with Section 325 of this Ordinance.

SECTION 801.43. SCHOOL (Reserved)

SECTION 801.54. SCHOOL, RELIGIOUS

A Religious School shall meet the following requirements.

- A. As a principal use or accessory use, all buildings utilized for Religious School use shall not require a minimum of three acres.

ARTICLE 10 – OFF-STREET PARKING AND LOADING

SECTION 1021 OFF-STREET PARKING REQUIREMENTS

RESIDENTIAL USES

- Dormitory: One (1) space for every 4 residents/beds, plus one (1) space for every Dormitory supervisor.

- Places of Worship: One (1) space for every four (4) seats in the main assembly room or one (1) space for each 12 feet of bench length; if fixed seating is not provided, one (1) space for every 200 square feet of gross floor area.
- School, Religious: One (1) space for each staff member, plus one (1) space for every twenty (20) classroom seats, based upon the maximum capacity.

NONRESIDENTIAL USES

- Dormitory: One (1) space for every 4 residents/beds, plus one (1) space for every Dormitory supervisor.
- Places of Worship: One (1) space for every four (4) seats in the main assembly room or one (1) space for each 12 feet of bench length; if fixed seating is not provided, one (1) space for every 200 square feet of gross floor area.
- School, Religious: One (1) space for each staff member, plus one (1) space for every twenty (20) classroom seats, based upon the maximum capacity.

June 1, 2026