

**BOROUGH OF MOUNT POCONO
MONROE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 4 OF 2010

AN ORDINANCE AMENDING THE CHAPTER 215 - ZONING OF THE CODE OF ORDINANCES OF THE BOROUGH OF MOUNT POCONO, MONROE COUNTY, PENNSYLVANIA, TO UPDATE SIGN STANDARDS FOR GASOLINE STATIONS AND FOR PLANNED COMMERCIAL DEVELOPMENTS AND/OR PLANNED INDUSTRIAL DEVELOPMENTS.

BE IT HEREBY ORDAINED AND ENACTED by the Borough Council of the Borough of Mount Pocono, Monroe County, Pennsylvania, by the authority of and pursuant to the provisions of Act of July 31, 1968, P.L. 805, No. 247 of the General Assembly of the Commonwealth of Pennsylvania, as reenacted and amended, known and cited as the *Pennsylvania Municipalities Planning Code*; that the Borough of Mount Pocono's Zoning Ordinance of October 3, 1994, as amended and restated in May 2004, is hereby amended as follows:

ITEM 1 – ADD the following definitions to § 215-79.A:

PLANNED DEVELOPMENT, COMMERCIAL - A contiguous area of land planned, developed, operated, and maintained as a single entity and containing one or more structures with appurtenant common areas to accommodate office, retail, and commercial uses, and other uses incidental and accessory to the commercial uses.

PLANNED DEVELOPMENT, INDUSTRIAL - A contiguous area of land planned, developed, operated, and maintained as a single entity and containing one or more structures with appurtenant common areas to accommodate industrial, manufacturing, warehousing, office, retail, and commercial uses, and other uses incidental and accessory to the predominant allowed uses.

ITEM 2 - AMEND § 215-81A(6)(a) TO READ AS FOLLOWS:

- (a) A landscaped island containing shrubs and/or flowers extending not less than three feet from all sides of the sign, but in no case less than 32 square feet in total area, and a minimum of one foot in height is required.

ITEM 3 - AMEND THE FIRST SENTENCE OF § 215-85B TO READ AS FOLLOWS:

- B. Limitation on number of signs. Excluding window decals and on-premises directional signs, or as may otherwise be modified by other provisions of this Article XI, any business shall be limited to two on-premises exterior signs advertising the business in one of the following combinations:

ITEM 4 - AMEND § 215-92 TO READ AS FOLLOWS:

§215-92. Gasoline station signs.

Automobile service and gasoline stations shall comply with all applicable regulations within this chapter, including the regulations for shopping centers (if applicable), and the following additional regulations:

- A. Changeable fuel price signs. Freestanding signs identifying the name of the business may include changeable copy indicating the type and current price of fuel dispensed on the premises. Such copy may be changed either manually or digitally provided any digital copy does not flash or change intermittently. The height of the letters/numerals shall not exceed the following and the sign shall be no larger than necessary to encompass the letters/numerals, and in no case shall exceed the width of the business sign. The changeable copy shall be counted as part of the maximum permitted area of the sign.

# of Fuel Types Advertised	Maximum Letter Height
1 or 2	24 inches
3	15 inches
4	12 inches

- B. Company pole signs. One pole sign may be erected on the lot of a gasoline service station for the purpose of advertising the brand of gasoline sold at such station.

- (1) The sign shall have a maximum height of 20 feet.
- (2) The sign shall have a maximum area of 24 square feet per side.

ITEM 5 - AMEND § 215-97 TO READ AS FOLLOWS:

§215-97. Planned commercial development or planned industrial development. (See definitions in § 215-79.A.) Planned commercial developments and planned industrial developments development shall be authorized to erect signs based on the criteria in this §215-97. §215-85B with respect to the number of signs shall not apply.

A. Development identification signs.

- (1) Type and number. One monument sign shall be permitted for each point of vehicular access to the development. No other development identification signs shall be permitted
- (2) Display information. A development identification sign shall be limited to displaying the development name and logo, the development developer or management, and/or the development location and/or address. No such sign shall contain the name of any individual occupant of the development.
- (3) Dimensions. No such sign shall exceed 50 square feet in area, ten feet in width and eight feet in height above surrounding grade.
- (4) Landscaping. Landscaping shall be provided in accord with §215-81A(6).

B. Individual building signs. Where a development is comprised of two or more buildings, each individual building may erect one freestanding sign and one (1) wall sign, or two (2) wall signs.

- (1) Freestanding sign. The freestanding sign shall not exceed 40 square feet in area and 20 feet in height and a landscaped island as defined in §215-81A(6) shall be provided.
- (2) Wall sign. The area of an individual wall sign shall not exceed 20% of the area of the building wall, including doors and windows, to which the sign is to be affixed, but not to exceed 40 square feet. (See §215-88J for additional wall sign standards.)
- (3) Display information. All such signs shall be limited to displaying the building name and logo, the building developer or management, and the building location and address. No such sign shall contain the name of any individual occupant of the development.

C. Individual Establishment Signs

- (1) Separate entrances. In a building with multiple separate divided areas between tenants with each area having a separate exterior entrance, a wall sign for each divided area shall be permitted.
 - (a) The wall sign for each divided area shall be attached to the exterior wall facade of the divided area it identifies.
 - (b) The area of the wall sign shall not exceed one square foot of sign area per one linear feet of divided area frontage on which the sign is to be attached, but not to exceed 40 square feet.
 - (c) See §215-88J for additional wall sign standards.
- (2) Common entrance. In a building containing multiple tenants with a main entrance designed for entry and exit of the majority of tenants and visitors to the building (that is, where separate exterior entrances for each divided area are not provided) multiple wall signs may be installed as follows:
 - (a) Wall signs may be erected on the façade containing the main entrance to the building, a building façade visible from a public street, and/or a building façade facing an interior driveway of the development.
 - (b) The number of wall signs on a facade shall not exceed the number of tenants or five wall signs on a facade, whichever is less.
 - (c) The maximum sign area for a wall sign affixed to the facade of a building shall not exceed 200 square feet subject, however, to the maximum aggregate sign area for all wall signs set forth below.
 - (d) The maximum aggregate sign area for all wall signs on each facade of a building shall be determined in accord with the following standards:

Facade Area	Maximum Aggregate Wall Sign Area
0 to 5,000 square feet	The aggregate area of permitted wall signs shall be the lesser of 5% of the wall facade area (including window and door areas and cornices to which the wall sign is attached) or 250 square feet.
5,001 square feet or greater	The aggregate area of permitted wall signs shall be the lesser of 3% of the wall facade area (including window and door areas and cornices to which the wall sign is attached) or 500 square feet.

D. Off-premises planned commercial development or planned industrial development identification signs. In cases where a planned commercial development or planned industrial development does not front on State Route 196, State Route 611 or State Route 940, an off premises development identification sign may be permitted as a conditional use provided it meets the requirements in §215-97A(2), (3) and (4), the standards in §215-111D, and the other applicable requirements of this Chapter 215 as determined by the Borough Council in its sole discretion.

SEVERABILITY

Should any section, subsection, clause, provision or other portion of this Ordinance be declared invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance; the Board of Supervisors having adopted this Ordinance as if such invalid portions had not been included therein.

EFFECTIVE DATE


This Ordinance shall become effective immediately upon adoption.

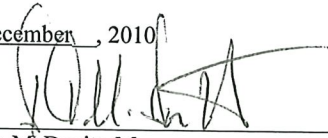
ADOPTION

ORDINANCE ORDAINED AND ENACTED this 6th day of December, 2010, by the Borough Council of the Borough of Mount Pocono, Monroe County, Pennsylvania, to be effective immediately.

BOROUGH OF MOUNT POCONO

By: 
 John P. Finnerty, Council President

ATTEST: 
 Lori Yocum, Borough Secretary

APPROVED this 6th day of December, 2010
 By: 
 Dan McDavitt, Mayor